

JOURNAL
OF THE
House of Representatives
OF THE
STATE OF ALABAMA
EXTRAORDINARY
SESSION OF 1973

HELD IN THE CITY OF MONTGOMERY
COMMENCING WEDNESDAY, MAY 2, 1973



WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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**JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
EXTRAORDINARY SESSION OF 1973**

FIRST DAY

House of Representatives
Montgomery, Alabama
Wednesday, May 2, 1973

Be it remembered that on the 1st day of May, 1973, His Excellency, George C. Wallace, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

**STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR**

WHEREAS, there exists an extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Article 5, Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, George C. Wallace, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 12:00 o'clock Noon, Wednesday, May 2, 1973, and I do hereby designate the following subjects and matters to be considered and acted upon by said Legislature in extraordinary session assembled:

1. Legislation to apportion the members of the Senate and of the House of Representatives among districts, which districts, when formed, shall be as nearly equal to each other in number of inhabitants as may be reasonably possible.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and have caused this proclamation to be attested by the Secretary of State, at the Capitol, in the City of Montgomery, on this the 1st day of May, 1973.

GEORGE C. WALLACE,
Governor.

ATTEST:
MABEL S. AMOS
Secretary of State

JOURNAL OF THE HOUSE, 1973
1st Day

In pursuance whereof, at the hour of 12 o'clock noon, on Wednesday, the 2nd day of May, 1973, the Representatives in the Legislature of Alabama assembled in the Hall of the House of Representatives.

PRAYER

The session was opened with prayer by Reverend John W. Moon, Director of the Retirement and Insurance Department, Alabama Baptist State Convention.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Crowe	Jones (E)	Reynolds
Adams	Culver	Jones (F)	Roberts
Adwell	Dill	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Bassett	Easters	McBride	Smith (P)
Benton	Edwards	McCluskey	Snell
Boles	Ellis	McCorquodale	Stewart
Boutwell	Erdreich	McDonald	Stokes
Bowers	Falkenburg	Manley	Stubbs
Brassell	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Gafford	Meeks	Timmons
Carnes	Goodwin	Merrill	Turner
Carter	Grainger	Mims	Turnham
Casey	Gray (F)	Naramore	Waggoner
Cauthen	Grey (D)	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hobbie	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

A quorum was present.

MESSAGE FROM THE SENATE

Mr. Speaker:

I have been directed by the Senate to advise the House that the Senate is now in session and ready for the transaction of public business.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

EXTRAORDINARY SESSION
1st Day

5

By Mr. McCorquodale:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, that the Clerk of the House notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. R. 1, was adopted.

Also:

By Mr. McCorquodale:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, the Senate concurring, that a Committee of three members of the House, to be named by the Speaker of the House and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED that the Governor is invited to address the Legislature if he so desires, and makes his wishes known.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 2, was adopted.

COMMITTEE APPOINTED

And the Speaker appointed as a committee on the part of the House Messrs. Stokes, Reed (T) and Smith (K).

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. McCorquodale, McDonald, Roberts, Doss, Mathews and Lyons:

H. 1. To regulate further the number, manner of appointment, compensation, duties and term of service of certain legislative subordinate officers and employees, and for such purpose to amend Code of Alabama 1940, Title 32, Section 22, and to amend further Sections 13, 18, 19, 20, 24, 25 and 26 of said title, as heretofore amended; and providing retroactive effect.

Ways and Means.

By Messrs. Merrill, Lyons, Smith (P), Cross, Connell, Naramore, McCluskey, Pruitt, Owens, Reid (R), Smith (K), Burgess, Easters, Jackson, May, Parker, Jones (F), Snell, Stewart, Taylor, Carnes, Warren, Harris, Coshatt, Culver, Doss, Bank, Edwards, Grainger, Agee, McCorquodale, Manley, Barkett, Ellis, Crowe, Waldrop, Wynot, Waggoner, Hill, King, Lutz, Fite, Boutwell, Turnham, Erdreich, Hearn, Grey (D), Bowers, Lang, Falkenburg, Gafford, McBride, O'Daniel, Roberts, Weeks, Boles, Flipppo, Goodwin, Wallace, Kinsey, Crawford, Benton, Callahan, Headley, Cauthen, Slate and Reynolds:

H. 2. To provide for reapportionment of the two houses of the Legislature of Alabama, so as to provide for single member districts in both the house and the senate, and for the purpose of facilitating the equitable apportionment of representation therein, to create and establish additional wards or voting boxes by subdividing some beats

2nd Day

or voting precincts or further subdividing some wards and boxes in certain counties.

Judiciary.

ADJOURNMENT

On motion of Mr. McCorquodale, the House adjourned until Thursday, May 3, 1973, at 2:00 o'clock p. m.

SECOND DAY

House of Representatives
Montgomery, Alabama
Thursday, May 3, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Vern Anderson, Pastor, Fundamental Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Crowe	Jones (E)	Roberts
Adams	Culver	Jones (F)	Robertson
Adwell	Dill	King	St. John
Agee	Doss	Kinsey	Slate
Bank	Downing	Lang	Smith (K)
Barkett	Drake	Lutz	Smith (P)
Bassett	Easters	McBride	Snell
Benton	Edwards	McCluskey	Stewart
Boles	Ellis	McCorquodale	Stokes
Boutwell	Erdreich	McDonald	Stubbs
Bowers	Falkenburg	Manley	Taylor
Brassell	Fite	Mathews	Therrell
Burgess	Flippo	May	Timmons
Callahan	Gafford	Meeks	Turner
Carnes	Goodwin	Merrill	Turnham
Carter	Grainger	Mims	Waggoner
Casey	Gray (F)	Naramore	Waldrop
Cauthen	Grey (D)	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Coshatt	Hearn	Pruitt	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot
Cross	Jackson	Reynolds	

—99

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it

EXTRAORDINARY SESSION
2nd Day

7

has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 2. Notifying the Governor that the Senate is now in session.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Bailes and Branyon.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Pelham, Wilson, Clark, Bailes, Baker, Branyon, Carr, Cook, Dominick, Dozier, Edington, Fine, Foshee, Gilmore, Givhan, Harris, Hawkins, Horne, Jones, King, Lindsey, Littleton, Lybrand, McLain, Malone, Melton, Noonan, O'Bannon, Owen, Pierce, Register, Shelby, Vacca, Weaver and Wilder:

S. J. R. 1. RESOLUTION ON THE RETIREMENT OF MISS MITTIE MILLER.

WHEREAS Miss Mittie Miller first came to work at the Alabama State Capitol in 1919 during the administration of Governor Thomas Kilby and served continuously and faithfully throughout the terms of eleven successive governors in addition to the second terms of Governors Bibb Graves, James E. Folsom and George Wallace; and

WHEREAS Miss Mittie, as she is affectionately known by everyone in the Capitol, made a point of finding out the name of each new legislator and where he might be located at all times, and she was equally assiduous in garnering information about lobbyists, newsmen and state employees. In performing her chief function of delivering messages to persons in the Capitol, it has been said that she sometimes walked five miles a day and she never forgot a name or a face; and

WHEREAS Miss Mittie's unswerving devotion to her duty and her swift efficiency in accomplishing her purposes has made her an invaluable asset in state employment; and

WHEREAS Miss Mittie has made it known that she desires to retire on May 1 of this year after a long and dedicated career of state service; now therefore

JOURNAL OF THE HOUSE, 1973
2nd Day

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we proclaim Miss Mittie Miller as the Dean of State Employees, that we salute her for a job well done and assure her of our love and affection throughout her many years of retirement.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 1 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Messrs. Bassett and Hardin:

H. J. R. 3. WHEREAS, Mr. Frank S. Anderson of Troy, Alabama, recently served as chairman of the drive to build Alumni Hall at Troy State University; and

WHEREAS, This service to Troy State University is only one of the many contributions Mr. Anderson has made to the development of the school; his untiring efforts have been a major factor in the tremendous success of the Troy State Foundation, which benefits many students in the furtherance of their education; now, therefore;

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That Wing B of Alumni Hall be henceforth named the Frank S. Anderson Wing, as a fitting tribute to the significant contributions he has made toward the development of Troy State University.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. Frank S. Anderson.

On motion of Mr. Hardin, the rules were suspended and the resolution was adopted.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1. To regulate further the number, manner of appointment, compensation, duties and term of service of certain legislative subordinate officers and employees, and for such purpose to amend Code of Alabama 1940, Title 32, Section 22, and to amend further Sections 13, 18, 19, 20, 24, 25 and 26 of said title, as heretofore amended; and providing retroactive effect.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

EXTRAORDINARY SESSION
2nd Day

9

H. 2 (with amendments). To provide for reapportionment of the two houses of the Legislature of Alabama, so as to provide for single member districts in both the house and the senate, and for the purpose of facilitating the equitable apportionment of representation therein, to create and establish additional wards or voting boxes by subdividing some beats or voting precincts or further subdividing some wards and boxes in certain counties.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 3. NAMING WING B OF ALUMNI HALL HENCEFORTH THE FRANK S. ANDERSON WING AT TROY STATE UNIVERSITY.

McDOWELL LEE,
Secretary.

ADJOURNMENT

Mr. McCorquodale moved that the House adjourn until Friday, May 4, 1973, at 9:00 o'clock a. m.

The substitute motion of Mr. Ellis that the House adjourn until Friday, May 4, 1973, at 10:00 o'clock a. m. was lost.

Yeas 18; Nays 47.

Yeas:

Messrs.:	Chesnut	Harris	Merrill
Bowers	Culver	King	Perloff
Carnes	Downing	Lutz	Smith (K)
Casey	Ellis	McCluskey	Stewart
Cauthen	Grainger	Mathews	

—18

Nays:

Messrs.:	Doss	Hobbie	Slate
Adams	Easters	Jackson	Therrell
Agee	Edwards	Jones (E)	Timmons
Barkett	Erdreich	Jones (F)	Turner
Benton	Falkenburg	McDonald	Turnham
Boutwell	Fite	May	Waggoner
Callahan	Flippo	Mims	Warren
Carter	Gray (F)	Naramore	Weeks
Connell	Grey (D)	Parker	Williams
Coshatt	Hardin	Pruitt	Wise
Crawford	Hearn	Robertson	Wood
Dill	Hill	St. John	Wynot

—47

The question was then on the motion of Mr. McCorquodale that the House adjourn until Friday, May 4, 1973, at 9:00 o'clock a. m., and the motion was adopted.

3rd Day

THIRD DAY

House of Representatives

Montgomery, Alabama

Friday, May 4, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Chris Doss, First Baptist Church, Birmingham, Alabama and a member of the House of Representatives.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Culver	Jones (E)	Reynolds
Adams	Dill	Jones (F)	Roberts
Adwell	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lang	Slate
Barkett	Easters	Lutz	Smith (K)
Bassett	Edwards	McBride	Smith (P)
Benton	Ellis	McCluskey	Snell
Boles	Erdreich	McCorquodale	Stewart
Boutwell	Falkenburg	McDonald	Stokes
Bowers	Fite	Manley	Stubbs
Brassell	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hobbie	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot
Crowe			

—101

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the second legislative day was dispensed with and the

report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 2. Relative to appointing a committee to inform the Governor that the Legislature is now in session and inviting him to address the Legislature if he so desires.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING

And the bill:

H. 1. To regulate further the number, manner of appointment, compensation, duties and term of service of certain legislative subordinate officers and employees, and for such purpose to amend Code of Alabama 1940, Title 32, Section 22, and to amend further Sections 13, 18, 19, 20, 24, 25 and 26 of said title, as heretofore amended; and providing retroactive effect.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Connell	Gafford	McCorquodale
Adams	Coshatt	Goodwin	McDonald
Adwell	Cottingham	Grainger	Manley
Agee	Crawford	Gray (F)	Mathews
Bank	Cross	Grey (D)	May
Barkett	Crowe	Hale	Meeks
Bassett	Culver	Harris	Merrill
Boles	Dill	Headley	Mims
Bowers	Doss	Hearn	Naramore
Brassell	Downing	Hill	Nettles
Burgess	Drake	Jackson	O'Daniel
Callahan	Easters	Jones (E)	Owens
Carnes	Edwards	Jones (F)	Parker
Carter	Ellis	King	Perloff
Casey	Erdreich	Kinsey	Pruitt
Cauthen	Falkenburg	Lang	Reed (T)
Chesnut	Fite	Lutz	Reid (R)
Collins	Flippo	McCluskey	Reynolds

Roberts	Snell	Timmons	Warren
Robertson	Stewart	Turner	Weeks
St. John	Stokes	Turnham	Williams
Slate	Stubbs	Waggoner	Wise
Smith (K)	Taylor	Waldrop	Wood
Smith (P)	Therrell	Wallace	Wynot

—96

Nays:

—0

And the bill:

H. 2 (With Amendments). To provide for reapportionment of the two house of the Legislature of Alabama, so as to provide for single member districts in both the house and the senate, and for the purpose of facilitating the equitable apportionment of representation therein, to create and establish additional wards or voting boxes by subdividing some beats or voting precincts or further subdividing some wards and boxes in certain counties.

Was taken up.

The question was on the adoption of the amendment #1 reported by the Standing Committee on Judiciary said Committee amendment being as follows:

Amend Section 1(a) of HB 2 by deleting in its entirety District 1 and District 2, and inserting in lieu thereof the following:

"District 1: Lauderdale County, Beats 8, 11, 12, 13, 14, 15, 16, 17, 10, Boxes 1, 2, 3, 4, 5, 6, 7, 8, 11, 13, 14, and 16.

"District 2: Lauderdale County, Beats 1, 2, 3, 4, 5, 6, 7, 9, 19, 10, Boxes 6, 9, 10, 12, and 15."

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Culver	King	St. John
Adwell	Dill	Kinsey	Slate
Agee	Doss	Lutz	Smith (K)
Bank	Downing	McCluskey	Smith (P)
Barkett	Drake	McCorquodale	Snell
Bassett	Easters	McDonald	Stewart
Benton	Edwards	Manley	Stokes
Boles	Erdreich	May	Stubbs
Boutwell	Falkenburg	Meeks	Taylor
Bowers	Fite	Merrill	Therrell
Brassell	Flippo	Naramore	Timmons
Burgess	Goodwin	Nettles	Turner
Callahan	Grainger	O'Daniel	Turnham
Carnes	Gray (F)	Owens	Waggoner
Carter	Grey (D)	Parker	Waldrop
Cauthen	Hale	Pruitt	Wallace
Connell	Headley	Reed (T)	Weeks
Coshatt	Hearn	Reid (R)	Williams
Cottingham	Hill	Reynolds	Wise
Crawford	Jackson	Roberts	Wood
Cross	Jones (E)	Robertson	Wynot
Crowe	Jones (F)		

—86

Nays:

—0

EXTRAORDINARY SESSION
3rd Day

13

The question was on the adoption of the amendment # 2 reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend HB 2 Section 1(a) by deleting Districts 35, 37, 38, 40, 42, 45, and inserting in lieu thereof the following:

"District 35, Jefferson County, Precincts 10-14, 10-16, 12, 13, 14-2; Shelby County, Beat 9, Box 1, and Beats 10, 13, 14, 15, 16, and 18.

"District 37, Jefferson County, Precincts 1-22, 4-1, 4-2, 19, 20, and 21.

"District 38, Jefferson County, Precincts 10-13, 16-1, 16-3, 17-1, 18-2, and 22-2.

"District 40, Jefferson County, Precincts 10-4, 10-5, 10-15, 10-17, 17-2, and 22-1.

"District 42, Jefferson County, Precincts 10-6, 14-1, 24-1, 24-4, and 25-5.

"District 45, Jefferson County, Precincts 8-3, 10-9, 10-11, 10-12, 24-2, and 24-3."

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (E)	Robertson
Adams	Culver	Jones (F)	St. John
Adwell	Dill	King	Slate
Agee	Doss	Kinsey	Smith (K)
Bank	Downing	Lutz	Smith (P)
Barkett	Drake	McCluskey	Snell
Bassett	Easters	McCorquodale	Stewart
Benton	Edwards	McDonald	Stokes
Boles	Ellis	Manley	Stubbs
Boutwell	Erdreich	May	Taylor
Bowers	Falkenburg	Meeks	Therrell
Brassell	Fite	Merrill	Timmons
Burgess	Flippo	Mims	Turner
Carnes	Goodwin	Naramore	Turnham
Carter	Grainger	O'Daniel	Waggoner
Casey	Gray (F)	Owens	Waldrop
Cauthen	Grey (D)	Parker	Wallace
Chesnut	Hale	Perloff	Warren
Connell	Harris	Pruitt	Weeks
Coshatt	Headley	Reed (T)	Williams
Cottingham	Hearn	Reid (R)	Wise
Crawford	Hill	Reynolds	Wood
Cross	Jackson	Roberts	Wynot

—92

Nays:

—0

The question was on the adoption of the amendment # 3 reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend HB 2 Section 1(a) by deleting Districts 55, 56 and 57 in its entirety and inserting in lieu thereof the following:

"District 55, Tuscaloosa City, Beat 1 Ward 4, Beat 1 Ward 5, Beat 2

Ward 9, Beat 2 Ward 9, Beat 2 Ward 10, Beat 3 Ward 12 and Beat 3 Ward 13; Tuscaloosa County, Beat 4 Box 20, Beat 4 Box 21, and Beat 6 Box 29.

"District 56, Tuscaloosa City, Beat 1 Ward 1, Beat 1 Ward 3, Beat 1 Ward 6, Beat 2 Ward 7, Beat 2 Ward 8 and Beat 1 Box 14A;

"District 57, Tuscaloosa City Beat 1 Ward 2 and Beat 2 Ward 11; Tuscaloosa County, Beat 1 Box 14B, Beat 2 Box 15, Beat 4 Box 22, Beat 5 Box 24, Beat 5 Box 25, Beat 5 Box 26, Beat 6 Box 27 & 28, Beat 6 Box 30, Beat 6 Box 31, Beat 6 Box 32, Beat 6 Box 33, Beat 6 Box 34, Beat 6 Box 35, Beat 6 Box 36 and Beat 6 Box 37."

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Robertson
Adams	Dill	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Bank	Drake	McCluskey	Smith (P)
Barkett	Easters	McCorquodale	Snell
Bassett	Edwards	McDonald	Stewart
Boles	Ellis	Manley	Stokes
Boutwell	Erdreich	May	Stubbs
Bowers	Falkenburg	Meeks	Taylor
Brassell	Fite	Merrill	Therrell
Burgess	Flippo	Mims	Timmons
Callahan	Goodwin	Naramore	Turner
Carnes	Grainger	Nettles	Turnham
Carter	Gray (F)	O'Daniel	Waggoner
Casey	Grey (D)	Owens	Waldrop
Cauthen	Hale	Parker	Wallace
Collins	Harris	Perloff	Warren
Connell	Headley	Pruitt	Weeks
Coshatt	Hearn	Reed (T)	Williams
Cottingham	Hill	Reid (R)	Wise
Crawford	Jackson	Reynolds	Wood
Cross	Jones (E)	Roberts	Wynot
Crowe			

—93

Nays:

—0

The question was on the adoption of the amendment # 4 reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend Section 1(a) of H. B. 2 by deleting in its entirety from Section 1 (a) Districts 48, 49, 50, 53, and 54, and substituting in lieu thereof the following:

"District 48, Jefferson County, Precincts 9-5, 9-7, 9-8, 9-9, 9-12, and 9-15.

"District 49, Jefferson County, Precincts 1-11, 1-13, 1-16, 1-24, 1-26, 1-30, 1-31, and 9-14.

"District 50, Jefferson County, Precincts 1-7, 1-15, 1-18, 2, and 5-3.

"District 53, Jefferson County, Precincts 1-1, 1-2, 1-3, 1-4, 1-21, 1-27, 1-28, 1-29, and 1-32.

"District 54, Jefferson County, Precincts 1-5, 1-6, 1-8, 1-9, 1-19, 1-20, 1-23, 1-25."

EXTRAORDINARY SESSION
3rd Day

15

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (E)	Robertson
Adams	Crowe	Jones (F)	St. John
Adwell	Culver	King	Slate
Agee	Dill	Kinsey	Smith (K)
Bank	Doss	Lutz	Smith (P)
Barkett	Downing	McCluskey	Snell
Bassett	Drake	McCorquodale	Stewart
Benton	Easters	McDonald	Stokes
Boles	Edwards	Manley	Stubbs
Boutwell	Ellis	May	Taylor
Bowers	Falkenburg	Meeks	Therrell
Brassell	Fite	Merrill	Timmons
Burgess	Flippo	Mims	Turner
Callahan	Goodwin	Naramore	Turnham
Carnes	Grainger	O'Daniel	Waggoner
Carter	Gray (F)	Owens	Waldrop
Casey	Gray (D)	Parker	Wallace
Cauthen	Hale	Perloff	Warren
Chesnut	Harris	Pruitt	Weeks
Collins	Headley	Reed (T)	Williams
Connell	Hearn	Reid (R)	Wise
Coshatt	Hill	Reynolds	Wood
Cottingham	Jackson	Roberts	Wynot
Crawford			

—93

Nays:

—0

AMENDMENT OFFERED

Mr. Downing offered the following amendment to the bill, H. 2, as amended:

Amend House Bill 2, Section 1(a) by deleting therefrom Districts 99 and 101 and substituting in lieu thereof the following:

"District 99, Mobile City, Wards 2, 9, 10, Prichard City, Ward 2-P-b (hereinafter in Section 6 described).

District 101, Mobile City, Wards, 1, 11, 12, 13, 14, 15, 20, 21, 22, 23; Prichard City, Ward 1-P.

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Burgess	Crowe	Flippo
Adams	Callahan	Culver	Goodwin
Adwell	Carnes	Dill	Grainger
Agee	Carter	Doss	Gray (F)
Bank	Casey	Downing	Gray (D)
Barkett	Cauthen	Drake	Hale
Bassett	Collins	Easters	Harris
Benton	Connell	Edwards	Headley
Boles	Coshatt	Ellis	Hearn
Boutwell	Cottingham	Erdreich	Hill
Bowers	Crawford	Falkenburg	Hobbie
Brassell	Cross	Fite	Jackson

3rd Day

Jones (E)	Meeks	Roberts	Timmons
Jones (F)	Merrill	Robertson	Turner
King	Mims	St. John	Turnham
Kinsey	Naramore	Slate	Waggoner
Lang	Nettles	Smith (K)	Waldrop
Lutz	O'Daniel	Smith (P)	Wallace
McCluskey	Owens	Snell	Warren
McCorquodale	Parker	Stewart	Weeks
McDonald	Perloff	Stokes	Williams
Manley	Pruitt	Stubbs	Wise
Mathews	Reid (R)	Taylor	Wood
May	Reynolds	Therrell	Wynot

—96

Nays: —0

AMENDMENT OFFERED

Messrs. Stokes, Downing, Callahan, Collins, Wood, Therrell and Perloff offered the following amendment to the bill, H. 2, as amended:

Amend House Bill 2, Section 1(a) by deleting the figures "105" wherever they may appear and substituting in lieu thereof the figures "106".

Also amend House Bill 2 at the end of Section 1(a) by adding the following language: "District 106, Mobile County, all wards and precincts therein."

AMENDMENT TABLED

On motion of Mr. Merrill, the amendment was tabled.

Yeas 62; Nays 24.

Yeas:

Mr. Speaker	Culver	Jackson	Reynolds
Adwell	Dill	Jones (E)	Roberts
Bank	Doss	King	Robertson
Barkett	Drake	Lutz	St. John
Boutwell	Easters	McCluskey	Slate
Bowers	Ellis	McCorquodale	Smith (K)
Burgess	Fite	McDonald	Snell
Carnes	Flippo	Manley	Stewart
Carter	Gafford	Merrill	Taylor
Cauthen	Goodwin	Naramore	Timmons
Connell	Grainger	O'Daniel	Turner
Coshatt	Gray (F)	Owens	Turnham
Cottingham	Grey (D)	Parker	Waldrop
Crawford	Hale	Pruitt	Weeks
Cross	Headley	Reid (R)	Wynot
Crowe	Hill		

—62

Nays:

Messrs.:	Casey	Kinsey	Smith (P)
Adams	Collins	May	Stokes
Agee	Downing	Meeks	Therrell
Bassett	Hardin	Mims	Waggoner
Benton	Harris	Nettles	Wise
Callahan	Hobbie	Perloff	Wood

—24

EXTRAORDINARY SESSION
3rd Day

17

Mr. Bassett offered the following amendment # 1, to the bill, H. 2, as amended:

Amend House Bill 2, Section 1 (a), District 86, by deleting the following words and figures "Pike County, Beats 5, 6, 7, 8, and 12." and inserting same in the following District 87 as follows: "District 87, Crenshaw County (All Beats); Pike County, Beats 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18."

AMENDMENT TABLED

On motion of Mr. Merrill, the amendment # 1 offered by Mr. Bassett was tabled.

Yeas 63; Nays 19.

Yeas:

Mr. Speaker	Culver	Hearn	Reid (R)
Adwell	Dill	Hill	Reynolds
Agee	Doss	King	Roberts
Bank	Drake	Lang	St. John
Boutwell	Ellis	Lutz	Smith (K)
Bowers	Erdreich	McCluskey	Snell
Burgess	Falkenburg	McCorquodale	Stewart
Carnes	Fite	McDonald	Timmons
Carter	Flipppo	Manley	Turner
Cauthen	Gafford	Merrill	Turnham
Connell	Goodwin	Naramore	Waggoner
Coshatt	Grainger	Nettles	Waldrop
Cottingham	Gray (F)	O'Daniel	Wallace
Crawford	Grey (D)	Owens	Weeks
Cross	Hale	Parker	Wynot
Crowe	Harris	Pruitt	

—63

Nays:

Messrs.:	Casey	Jackson	Smith (P)
Adams	Collins	Kinsey	Stokes
Bassett	Downing	May	Therrell
Benton	Hardin	Perloff	Wise
Brassell	Hobbie	Slate	Wood

—19

AMENDMENT OFFERED

Mr. Bassett offered the following amendment # 2 to the bill, H. 2, as amended:

Amend House Bill 2, Section 1 (a) by inserting a sentence at the end of District 87 as follows: "Each of the following Senatorial District shall have its senator serve one term each third term, starting with Pike County for the term 1975-78; Dale County for the next four years; and Crenshaw County for the next four years."

AMENDMENT TABLED

On motion of Mr. Merrill, the amendment #2 offered by Mr. Bassett was tabled.

Yeas 67; Nays 13.

Yeas:

Mr. Speaker	Dill	Hearn	Roberts
Adwell	Doss	Hill	Robertson
Agee	Downing	King	St. John
Bank	Drake	Lang	Slate
Boutwell	Ellis	Lutz	Smith (K)
Bowers	Erdreich	McCluskey	Snell
Burgess	Falkenburg	McDonald	Stewart
Carnes	Fite	Manley	Stubbs
Carter	Flippo	May	Timmons
Cauthen	Gafford	Merrill	Turner
Connell	Goodwin	Naramore	Turnham
Coshatt	Grainger	Nettles	Waggoner
Cottingham	Gray (F)	Owens	Waldrop
Crawford	Grey (D)	Parker	Wallace
Cross	Hale	Pruitt	Weeks
Crowe	Harris	Reid (R)	Wynot
Culver	Headley	Reynolds	

—67

Nays:

Messrs.:	Casey	Jackson	Therrell
Adams	Collins	McCorquodale	Wise
Bassett	Hardin	Stokes	Wood
Benton	Hobbie		

—13

SUBSTITUTE OFFERED

Mr. Chesnut offered the following substitute to the bill, H. 2, as amended:

A BILL
TO BE ENTITLED
AN ACT

To provide for reapportionment of the two houses of the Legislature of Alabama and for the purpose of facilitating the equitable apportionment of representation therein, to create and establish additional wards or voting boxes by subdividing some beats or voting precincts or further subdividing some wards and boxes in certain counties.

Be It Enacted by the Legislature of Alabama:

Section 1. The House of Representatives of the Alabama Legislature shall consist of 105 members distributed among the several districts (hereinafter established) as follows: Districts 5 and 46 shall each elect from the district at large three representatives; Districts 1, 4, 9, 44, 48 and 55 shall each elect from the district at large two representatives; and the other 87 districts shall each elect from the district at large one representative. For the purpose of electing such representatives the State is hereby divided into House of Representative Districts as follows:

House
District

- 1 Lauderdale County, all of the county except Beat 1.
- 2 Lauderdale County, Beat 1; Limestone County, Beats 1, 5, 6, 7, 8, 9, 10, 14, and 15.
- 3 Limestone County, Beat 2; Beat 3; Beat 4; Beat 11; Beat 12;

EXTRAORDINARY SESSION
3rd Day

19

- Beat 13; Madison County, Ward IV, District 2; Ward IV, District 3; Precinct 8; and Precinct 21.
- 4 Madison County, Ward I, District 1; Ward I, District 2; Ward I, District 4; Ward I, District 6; Ward IV, District 4; Ward IV, District 5; Ward IV, District 6; Ward IV, District 7; Ward IV, District 8; Ward IV, District 9; Ward IV, District 10; Precinct 9; Precinct 10; Precinct 11; Precinct 12; and Precinct 27.
 - 5 Madison County, Ward I, District 3; Ward I, District 5; Ward II, District 1; Ward II, District 3; Ward II, District 4; Ward II, District 5; Ward III, District 1; Ward III, District 2; Ward III, District 3; Ward III, District 4; Ward III, District 5; Ward III, District 6; Ward III, District 7; Ward III, District 8; Precinct 2; Precinct 3; Precinct 4; Precinct 6; Precinct 13; Precinct 14; Precinct 15; Precinct 16; Precinct 17; Precinct 18; Precinct 19; Precinct 20; Precinct 22; Precinct 23; Precinct 25; Precinct 26; Ward IV, District 1; Ward V, District 1; Ward V, District 2; Ward V, District 3; Ward V, District 4; and Precinct 7.
 - 6 Jackson County, Beat 1; Beat 3; Beat 6; Beat 7; Beat 8; Beat 9; Beat 10; Beat 11; Beat 12; Beat 13; Beat 14; Beat 15; Beat 16; Beat 17; Beat 18; Beat 19; Beat 20; Beat 21; Beat 22; Beat 23; Beat 24; Beat 25; Beat 26; Beat 27; Beat 28; Beat 30; Beat 31; Beat 32; Beat 33; Beat 34; Beat 35; Beat 36 and Beat 37.
 - 7 DeKalb County, Beat 5; Beat 14; Beat 15; Beat 16; Beat 17; Beat 18; Beat 19; Beat 23; Beat 24; Beat 25; Beat 26; Beat 27; and Beat 30; Jackson County, Beat 4; Beat 5, Beat 29; Beat 38; and Beat 39.
 - 8 Cherokee County, All of said county; DeKalb County, Beat 1; Beat 2; Beat 3; Beat 4; Beat 6; Beat 7; Beat 8; Beat 9; Beat 10; Beat 11; Beat 12; Beat 13; Beat 20; Beat 21; Beat 22; Beat 28; and Beat 29.
 - 9 Morgan County, Beat 1, Box 1; Beat 1, Box 2; Beat 1, Box 4; Beat 1, Box 5; Beat 1, Box 6; Beat 1, Box 7; Beat 1, Box 8; Beat 1, Box 9; Beat 1, Box 10; Beat 1, Box 11; Beat 1, Box 12; Precinct 3; Precinct 4; Precinct 5, Box 1; Precinct 9, Box 2; Precinct 10; Precinct 11; Precinct 12, Box 1; Precinct 13; and Precinct 16.
 - 10 Marshall County, Beat 5; Beat 6; Beat 7; Beat 8; Beat 9; Beat 10; Beat 11; Beat 12; Beat 14; Beat 17; Beat 18; Beat 19; Beat 21; Beat 23; Beat 25; Beat 26; Beat 27; Beat 29; and Beat 30; Morgan County, Precinct 5, Box 2; Precinct 8; Precinct 9, Box 1; Precinct 12, Box 2; Precinct 14; Precinct 15; Precinct 17; Precinct 18; and Precinct 20.
 - 11 Cullman County, Beat 1; Beat 2; Beat 5; Beat 6; Beat 7; Beat 8; Beat 9; Beat 10; Beat 11; Beat 12; Beat 13; Beat 14; Beat 15; Beat 16; Beat 17; Beat 26; Beat 27; Beat 29; Beat 30; Beat 33; and Beat 34.
 - 12 Blount County, Beat 1; Beat 2; Beat 3; Beat 4; Beat 5; Beat 6; Beat 7; Beat 8; Beat 15; Beat 17; Beat 19; Beat 20; Beat 21; Beat 22; Beat 23; Beat 24; Beat 25; Beat 26; Beat 29; Beat 32; Beat 33; Beat 35; Beat 38; Beat 39; Cullman County, Beat 3; Beat 4; Beat 18; Beat 19; Beat 20; Beat 21; Beat 22; Beat 23; Beat 24; Beat 25; Beat 28; Beat 31; and Beat 32.
 - 13 Marshall County, Beat 1; Beat 2; Beat 3; Beat 4; Beat 13; Beat 15; Beat 16; Beat 20; Beat 22; Beat 24; and Beat 28.

3rd Day

- 14 Colbert County, Precinct 2; Precinct 3; Precinct 4; Precinct 5; Precinct 6; Precinct 7; Precinct 8; Precinct 9; Precinct 12; Precinct 13; Precinct 15; and Precinct 16.
- 15 Colbert County, Precinct 1; Precinct 10; Precinct 11; Precinct 14; Precinct 17; and the TVA Reservation; Lawrence County, Beat 1; Beat 2; Beat 2½; Beat 3; Beat 4; Beat 5; Beat 10; Beat 13; Beat 15; Beat 16; and Beat 17.
- 16 Franklin County, All of the county; Lawrence County, Beat 6; Beat 7; Beat 12; and Beat 14.
- 17 Marion County, All of the county, Winston County, Beat 1; Beat 2; and Beat 11.
- 18 Lawrence County, Beat 8; Beat 9; and Beat 11; Walker County, Beat 2; Beat 3; Beat 4; Beat 5; Beat 6; Beat 7; Beat 8; Beat 14; Beat 15; Beat 16; Beat 17; Beat 18; Beat 24; Beat 25; Beat 26; Beat 27; Beat 28; Beat 29; Beat 30; Beat 31; Beat 32; Beat 33; Beat 34; Beat 35; and Beat 38; Winston County, Beat 3; Beat 4; Beat 5; Beat 6; Beat 7; Beat 8; Beat 9; and Beat 10.
- 19 Walker County, Beat 1; Beat 9; Beat 10; Beat 11; Beat 12; Beat 13; Beat 19; Beat 20; Beat 21; Beat 22; Beat 23; Beat 36; and Beat 37.
- 20 Fayette County, All of the county; Lamar County, All of the county; Pickens County, Beat 1; Beat 2; Beat 3; Beat 4; and Beat 5.
- 21 Pickens County, Beat 6; Beat 7; Beat 8; Beat 9; Beat 10; Beat 11; Beat 12; Beat 13; Beat 14; Beat 15; Beat 16; Beat 17; Beat 18; Beat 19; Beat 21; Beat 24; and Beat 25; Tuscaloosa County, Beat 4, Box 22; Beat 5, Box 23; Beat 5, Box 24; Beat 5, Box 25; Beat 5, Box 26; Beat 6, Box 31; Beat 6, Box 32; Beat 6, Box 33; Beat 6, Box 34; Beat 6, Box 35; Beat 6, Box 36; and Beat 6, Box 37.
- 22 Tuscaloosa County, Beat 1, Ward 1; Beat 1, Ward 2; Beat 1, Ward 3; Beat 1, Ward 4; Beat 1, Ward 5; Beat 1, Ward 6; and Beat 1, Box 14.
- 23 Jefferson County, Precinct 1, Box 6; Precinct 1, Box 8; Precinct 1, Box 19; Precinct 1, Box 22; Precinct 1, Box 23; Precinct 4, Box 2; Precinct 19, Box 1; Precinct 19, Box 2; Precinct 20, Box 1; Precinct 20, Box 2; Precinct 21, Box 1; and Precinct 21, Box 2.
- 24 Jefferson County, Precinct 10, Box 15; Precinct 16, Box 3; Precinct 17; Precinct 18, Box 2; and Precinct 19, Box 3.
- 25 Jefferson County, Precinct 5, Box 1; Precinct 6, Box 1; Precinct 6, Box 2; Precinct 6, Box 4; Precinct 6, Box 5; Precinct 7, Box 1-A (as hereinafter in Section 6 described); Precinct 7, Box 3; and Precinct 18, Box 1.
- 26 Jefferson County, Precinct 1, Box 4; Precinct 1, Box 9; Precinct 1, Box 20; Precinct 1, Box 21; and Precinct 1, Box 25; Shelby County, Beat 5; Beat 6; and Beat 17.
- 27 Jefferson County, Precinct 1, Box 1; Precinct 1, Box 2; Precinct 1, Box 3; Precinct 1, Box 27; Precinct 1, Box 28; Precinct 1, Box 29; Precinct 1, Box 30; and Precinct 1, Box 32.
- 28 Jefferson County, Precinct 1, Box 10; Precinct 1, Box 14; Precinct 25, Box 4; Precinct 25, Box 8; Precinct 25, Box 9; and Precinct 25, Box 10.

3rd Day

- 29 Jefferson County, Precinct 1, Box 5; Precinct 1, Box 7; Precinct 1, Box 11; Precinct 1, Box 13; Precinct 1, Box 15; Precinct 1, Box 16; Precinct 1, Box 24; Precinct 1, Box 26; and Precinct 1, Box 31.
- 30 Jefferson County, Precinct 1, Box 18; Precinct 2; Precinct 4, Box 1; Precinct 5, Box 3; and Precinct 9, Box 12.
- 31 Jefferson County, Precinct 1, Box 12; Precinct 1, Box 17; Precinct 25, Box 1; Precinct 25, Box 2; Precinct 25, Box 3; Precinct 25, Box 6; Precinct 25, Box 7; and Precinct 25, Box 11.
- 32 Jefferson County, Precinct 9, Box 5; Precinct 9, Box 7; Precinct 9, Box 8; Precinct 9, Box 9; Precinct 9, Box 14; and Precinct 9, Box 15.
- 33 Jefferson County, Precinct 5, Box 2; Precinct 5, Box 4; Precinct 5, Box 5; Precinct 6, Box 3; Precinct 9, Box 2; Precinct 9, Box 3; and Precinct 9, Box 10.
- 34 Jefferson County, Precinct 9, Box 1; Precinct 9, Box 4; Precinct 9, Box 6; Precinct 9, Box 11; Precinct 9, Box 13; Precinct 9, Box 16; and Precinct 9, Box 17.
- 35 Jefferson County, Precinct 8, Box 2; Precinct 8, Box 4; Precinct 8, Box 6; Precinct 8, Box 7; Precinct 8, Box 8; and Precinct 8, Box 9.
- 36 Jefferson County, Precinct 7, Box 1-B (as hereinafter in Section 6 described); Precinct 7, Box 2; Precinct 7, Box 4; Precinct 7, Box 5; and Precinct 8, Box 1.
- 37 Jefferson County, Precinct 8, Box 3; Precinct 10, Box 9; Precinct 10, Box 11; Precinct 10, Box 12; Precinct 10, Box 13; and Precinct 22, Box 1.
- 38 Jefferson County, Precinct 10, Box 4; Precinct 10, Box 5; Precinct 10, Box 14; Precinct 10, Box 16; Precinct 10, Box 17; and Precinct 22, Box 2.
- 39 Jefferson County, Precinct 10, Box 1; Precinct 10, Box 2; Precinct 10, Box 3; Precinct 10, Box 7; Precinct 10, Box 8; and Precinct 10, Box 10.
- 40 Jefferson County, Precinct 10, Box 6; Precinct 24, Box 1; Precinct 24, Box 2; Precinct 24, Box 3; Precinct 24, Box 4; and Precinct 25, Box 5.
- 41 Jefferson County, Precinct 15, Box 1; Precinct 15, Box 2; Precinct 15, Box 3; Precinct 15, Box 4; Precinct 16, Box 1; Precinct 16, Box 2; Precinct 16, Box 4; Precinct 23; and Precinct 23-1.
- 42 Jefferson County, Precinct 12; Precinct 13; and Precinct 14; St. Clair County, Precinct 3; Precinct 4; Precinct 17; Precinct 23; Precinct 25; and Precinct 26.
- 43 Shelby County, Beat 1; Beat 2; Beat 3; Beat 4; Beat 7; Beat 8; Beat 9; Beat 10; Beat 11; Beat 12; Beat 13; Beat 14; Beat 15; Beat 16; Beat 18; Beat 19; Beat 20; and Beat 21.
- 44 Etowah County, Beat 1, Box 1-B; Beat 1, Box 1-C; Beat 1, Box 1-D; Beat 1, Box 2; Beat 1, Box 3-A; Beat 1, Box 4; Beat 1, Box 5; Beat 1, Box 6-A; Beat 1, Box 7-A; Beat 1, Box 7-B; Beat 1, Box 8; Beat 1, Box 8-A; Beat 1, Box 9; Beat 1, Box 10; Beat 1, Box 11-A; Beat 1, Box 11-B; Beat 1, Box 12; Beat 1,

3rd Day

- Box 13-A; Beat 1, Box 13-B; Beat 1, Box 14; Beat 1, Box 15; Beat 1, Box 16-A; Beat 1, Box 16-B; remainder of Beat 1 which lies outside of Gadsden City limits; Beat 1, Box 17-A; Beat 1, Box 17-B; Beat 1, Box 18-A; Beat 1, Box 18-B; Beat 1, Box 19; Beat 10; Beat 11; Beat 12; Beat 13; Beat 14; Beat 15; Beat 16; Beat 17; Beat 18; Beat 19-1; Beat 19-2; Beat 20; Beat 21; Beat 22; Beat 23; Beat 24; Beat 25; Beat 26; Beat 27; Beat 28; and Beat 34.
- 45 Calhoun County, Beat 6; Beat 7; Beat 18; and Beat 19; Etowah County, Beat 1, Box 1-A; Beat 1, Box 3-B; Beat 1, Box 3-C; Beat 1, Box 6-B; Beat 1, Box 6-C; Beat 2; Beat 4; Beat 5-1; Beat 5-2; Beat 6; Beat 7; Beat 8; Beat 9; Beat 29; Beat 30; Beat 31; Beat 32; and Beat 33.
- 46 Calhoun County, Beat 1; Beat 2; Beat 3; Beat 4; Beat 8; Beat 9; Beat 10; Beat 11; Beat 12; Beat 13; Beat 14; Beat 15, including the Military Reservation; Beat 16; Beat 17; Beat 20; Beat 21; Beat 22; Beat 23 and the Military Reservation west of Beat 23; and Beat 24.
- 47 Blount County, Beat 9; Beat 10; Beat 11; Beat 12; Beat 13; Beat 14; Beat 16; Beat 18; Beat 27; Beat 28; Beat 30; Beat 31; Beat 31-1; Beat 34; Beat 36; and Beat 37; St. Clair County, Precinct 1; Precinct 2; Precinct 5; Precinct 6; Precinct 7; Precinct 8; Precinct 9; Precinct 10; Precinct 11; Precinct 12; Precinct 13; Precinct 14; Precinct 15; Precinct 16; Precinct 18; Precinct 19; Precinct 20; Precinct 21; and Precinct 22.
- 48 Talladega County, Beat 1; Beat 2; Beat 3; Beat 4; Beat 5; Beat 6; Beat 7; Beat 8; Beat 9; Beat 10; Beat 11; Beat 12; Beat 13; Beat 14; Beat 16; Beat 17; and Beat 18.
- 49 Chambers County, Beat 1; Beat 2; Beat 3; and Beat 4; Cleburne County, All of the county; Randolph County, All of the county; Tallapoosa County, Beat 17.
- 50 Tallapoosa County, Beat 1; Beat 2; Beat 3; Beat 4; Beat 5; Beat 6; Beat 7; Beat 8; Beat 9; Beat 10; Beat 11; Beat 12; Beat 13; Beat 14; Beat 15; Beat 16; and Beat 18.
- 51 Chambers County, Beat 5; Beat 6; Beat 7; Beat 8; Beat 9; Beat 10; Beat 11; Beat 12; and Beat 13.
- 52 Chilton County, Beat 1; Beat 2; Beat 5; Beat 9; Beat 11; Beat 12; Beat 13; and Beat 16; Clay County, All of the county; Coosa County, All of the county.
- 53 Autauga County, All of the county; Dallas County, Precinct 1; Precinct 2; Precinct 3; Precinct 6; Precinct 8; and Precinct 10; Elmore County, Beat 11; and Beat 14.
- 54 Elmore County, Beat 1; Beat 2; Beat 3; Beat 4; Beat 5; Beat 6; Beat 7; Beat 8; Beat 9; Beat 10; Beat 12; Beat 13; Beat 15; Beat 16; Beat 17; Beat 18; and Beat 19.
- 55 Tuscaloosa County, Beat 2, Ward 7; Beat 2, Ward 8; Beat 2, Ward 9; Beat 2, Ward 10; Beat 2, Ward 11; Beat 2, Box 15; Beat 3, Ward 12; Beat 3, Ward 13; Beat 3, Box 16; Beat 3, Box 17; Beat 4, Box 20; Beat 4, Box 21; Beat 6, Box 27; Beat 6, Box 28; Beat 6, Box 29; and Beat 6, Box 30.
- 56 Bibb County, All of the county; Chilton County, Beat 3; Beat 4; Beat 6; Beat 7; Beat 8; Beat 10; Beat 14; and Beat 15; Tuscaloosa County, Beat 3, Box 18; and Beat 3, Box 19.

EXTRAORDINARY SESSION
3rd Day

23

- 57 Choctaw County, All of the county; Sumter County, Beat 1; Beat 2; Beat 3; Beat 4; Beat 5; Beat 6; Beat 7; Beat 8; Beat 10; Beat 11; Beat 12; Beat 13; Beat 14; Beat 15; Beat 16; Beat 17; Beat 18; Beat 19; and Beat 20.
- 58 Greene County, All of the county; Marengo County, Beat 1; Beat 2; Beat 3; Beat 4; Beat 8; Beat 9; Beat 10; Beat 11; Beat 12; Beat 13; Beat 14; Beat 15; Beat 16; Beat 17; Beat 18; Beat 19; and Beat 20; Sumter County, Beat 9.
- 59 Hale County, All of the county; Marengo County, Beat 5; Beat 6; and Beat 7; Perry County, All of the county.
- 60 Dallas County, Precinct 4, Box 2 (as hereinafter in Section 4 described); Precinct 9; Precinct 12; and Precinct 14.
- 61 Butler County, Beat 9; and Beat 10; Dallas County, Precinct 4, Box 1 (as hereinafter in Section 4 described); precinct 5; Precinct 7; Precinct 11; Precinct 13; and Precinct 15; Wilcox County, All of the county.
- 62 Butler County, Beat 1; Beat 2; Beat 3; Beat 4; Beat 5; Beat 6; Beat 7; Beat 8; Beat 11; Beat 12; Beat 13; Beat 14; Beat 15; Beat 16; Beat 17; Beat 18; and Beat 19; Lowndes County, Precinct 1; Precinct 2; Precinct 3; Precinct 4; Precinct 5; Precinct 6; and Precinct 8.
- 63 Montgomery County, Montgomery City, Ward 1-A; Ward 2-A-1 (as hereinafter in Section 10 described); and Ward 2-B.
- 64 Montgomery County, Montgomery City, Ward 2-A-2 (as hereinafter in Section 10 described); Ward 4-A; Ward 5-A; Ward 5-B; Ward 6-B; and Ward 7-C.
- 65 Montgomery County, Montgomery City, Ward 3-A-1 (as hereinafter in Section 10 described); Ward 5-C; Ward 7-A; and Ward 8-A-2 (as hereinafter in Section 10 described).
- 66 Montgomery County, Beat 18 and Beat 20; Montgomery City, Ward 5-D; Ward 6-A; Ward 7-B; Ward 8-A-1 (as hereinafter in Section 10 described); Ward 8-B; and Ward 8-C.
- 67 Lowndes County, Precinct 7; Montgomery County, Beat 14; Beat 15; Beat 16; Beat 19; Beat 22; Beat 24; Beat 25; and Beat 26; Montgomery City, Ward 2-C and Ward 3-A-2 (as hereinafter in Section 10 described).
- 68 Macon County, All of the county; Montgomery County, Beat 12; Beat 13; Beat 17; Beat 21; and Beat 23.
- 69 Lee County, Beat 1; Beat 2; Beat 3; Beat 4; Beat 5; Beat 8; Beat 11; Beat 12, Box 2 (as hereinafter in Section 8 described); Beat 13; and Beat 14.
- 70 Lee County, Beat 6; Beat 7; Beat 9; Beat 10; and Beat 12, Box 1 (as hereinafter in Section 8 described); Russell County, Beat 2; Beat 3; and Beat 7.
- 71 Russell County, Beat 1.
- 72 Barbour County, All of the county; Henry County, Beat 5; Beat 11; Beat 12; Beat 13; and Beat 14; Russell County, Beat 4; Beat 5; Beat 6; Beat 8; Beat 9; and Beat 10.
- 73 Henry County, Beat 1; Beat 2; Beat 3; Beat 4; Beat 6; Beat 7; Beat 8; Beat 9; and Beat 10; Houston County, Beat 2; Beat 3,

- Ward 2-B (as hereinafter in Section 5 described); Beat 4; Beat 5; Beat 6; Beat 7; Beat 8; Beat 9; Beat 10; Beat 11; Beat 12; Beat 13; and Beat 14.
- 74 Houston County, Beat 3, Ward 1; Beat 3, Ward 2-A (as hereinafter in Section 5 described); Beat 3, Ward 3; and Beat 3, Ward 4.
- 75 Coffee County; Beat 1; Beat 7; Beat 8; Beat 14; Beat 17; Beat 18; Beat 20; and Beat 23; Geneva County, Beat 10; Beat 11; Beat 12; Beat 13; Beat 14; Beat 15; Beat 16; and Beat 17.
- 76 Dale County, Beat 1; Beat 7; Beat 12; Beat 14; Beat 15; and the Military Reservation.
- 77 Dale County, Beat 2; Beat 3; Beat 4; Beat 5; Beat 6; Beat 8; Beat 9; Beat 10; Beat 11; Beat 13; and Beat 16; Geneva County, Beat 3; Beat 4; Beat 5; Beat 6; Beat 7; Beat 8; and Beat 9; Houston County, Beat 1.
- 78 Bullock County, All of the county; Pike County, Beat 1; Beat 2; Beat 3; Beat 4; Beat 5; Beat 6; Beat 7; Beat 12; Beat 13; and Beat 18.
- 79 Coffee County, Beat 2; Beat 3; Beat 4; Beat 5; Beat 6; Beat 9; Beat 10; Beat 11; Beat 12; Beat 13; Beat 15; Beat 16; Beat 19; Beat 21; and Beat 22; Covington County, Beat 4; Beat 8; Beat 14; and Beat 17; Crenshaw County, All of the county; Pike County, Beat 8; Beat 9; Beat 10; Beat 11; Beat 14; Beat 15; Beat 16; and Beat 17.
- 80 Covington County, Beat 1; Beat 2; Beat 3; Beat 5; Beat 6; Beat 7; Beat 9; Beat 10; Beat 11; Beat 12; Beat 13; Beat 15; Beat 16; Beat 18; Beat 19; Beat 20; Beat 21; Beat 22; Beat 23; and Beat 24.
- 81 Clarke County, All of the county; Escambia County, Precinct 6, District 17 and Precinct 6, District 19; Monroe County, Beat 1; Beat 2; and Beat 13.
- 82 Conecuh County, All of the county; Monroe County, Beat 3; Beat 4; Beat 5; Beat 6; Beat 7; Beat 8; Beat 9; Beat 10; Beat 11; Beat 12; and Beat 14.
- 83 Escambia County, Precinct 1; Precinct 2; Precinct 3; Precinct 4; Precinct 5; Precinct 6, District 18; Precinct 7; Precinct 8; and Precinct 9.
- 84 Mobile County, Precinct 1; Precinct 2; Precinct 5; Precinct 6; Precinct 7; Precinct 8; Precinct 9; Precinct 10; Precinct 10-A; Precinct 14; Saraland City, Ward 3-S; Ward 5-S; Washington County, All the county.
- 85 Baldwin County, Precinct 1; Precinct 2; Precinct 3; Precinct 4; Precinct 5; Precinct 6; Precinct 7; Precinct 9; and Precinct 12; Mobile County, Precinct 3; Precinct 4; Precinct 4-A; Precinct 11; and Precinct 12.
- 86 Baldwin County, Precinct 8; Precinct 10; Precinct 11; Precinct 13; Precinct 14; and Precinct 15.
- 87 Mobile County, Precinct 18; Precinct 19; Precinct 20; Precinct 21; Precinct 2-A; Precinct 22; Precinct 23; Precinct 24; Precinct 25; and Precinct 38-A (as hereinafter in Section 9 described); Mobile City, Ward 5; and Ward 6.

- 88 Mobile County, Precinct 26; Precinct 27; Precinct 28; Precinct 29; Precinct 30; Precinct 31; Precinct 32; Precinct 33; Precinct 34; Precinct 35; Precinct 36; Precinct 37; and Precinct 39.
- 89 Mobile County, Mobile City, Ward 18; Ward 19; Ward 27; Ward 28; and Ward 36.
- 90 Mobile County, Precinct 13; Mobile City, Ward 31; Prichard City, Ward 1-P; Ward 3-P; Saraland City, Ward 1-S; Ward 2-S; and Ward 4-S.
- 91 Mobile County, Precinct 15; Precinct 38-B (as hereinafter in Section 9 described); Mobile City, Ward 4; Ward 32; Ward 35; and Ward 38; Prichard City, Ward 4-P; Ward 5-P; Ward 6-P; and Ward 7-P.
- 92 Mobile County, Mobile City, Ward 1; Ward 2; Ward 11; Ward 12; and Ward 13; Prichard City, Ward 2-P.
- 93 Mobile County, Mobile City, Ward 3; Ward 7; Ward 8; Ward 16; and Ward 17.
- 94 Mobile County, Mobile City, Ward 9; Ward 10; Ward 14; Ward 15; Ward 20; Ward 21; Ward 22; and Ward 23.
- 95 Mobile County, Mobile City, Ward 24; Ward 25; Ward 26; Ward 29; Ward 30; and Ward 37.

Section 2. The Senate of the Legislature of Alabama shall consist of 35 members, and the state is divided into 35 senatorial districts for the election of 1 senator from each district. Each senatorial district shall be composed of the House of Representative district or districts (into which the state is divided by Section 1 of this Act) hereinafter assigned to it.

Senatorial
District

- 1 House district Nos. 1 and 2;
- 2 House district Nos. 3 and 4;
- 3 House district No. 5;
- 4 House district Nos. 6, 7, and 8;
- 5 House district Nos. 9 and 10;
- 6 House district Nos. 11, 12, and 13;
- 7 House district Nos. 14, 15, and 16;
- 8 House district Nos. 17, 18, and 19;
- 9 House district Nos. 20, 21, and 22;
- 10 House district Nos. 23, 24, and 25;
- 11 House district Nos. 26, 27, and 28;
- 12 House district Nos. 29, 30, and 31;
- 13 House district Nos. 32, 33, and 34;
- 14 House district Nos. 35, 36, and 37;
- 15 House district Nos. 38, 39, and 40;

- 16 House district Nos. 41, 42, and 43;
- 17 House district Nos. 44 and 45;
- 18 House district No. 46;
- 19 House district Nos. 47 and 48;
- 20 House district Nos. 49, 50, and 51;
- 21 House district Nos. 52, 53, and 54;
- 22 House district Nos. 55 and 56;
- 23 House district Nos. 57, 58, and 59;
- 24 House district Nos. 60, 61, and 62;
- 25 House district Nos. 63, 64, and 65;
- 26 House district Nos. 66, 67, and 68;
- 27 House district Nos. 69, 70, and 71;
- 28 House district Nos. 72, 73, and 74;
- 29 House district Nos. 75, 76, and 77;
- 30 House district Nos. 78, 79, and 80;
- 31 House district Nos. 81, 82, and 83;
- 32 House district Nos. 84, 85, and 86;
- 33 House district Nos. 87, 88, and 89;
- 34 House district Nos. 90, 91, and 92;
- 35 House district Nos. 93, 94, and 95.

Section 3. Beat or voting precinct No. 4 of Dallas County is hereby divided; and precinct 4, box 1, and precinct 4, box 2, are hereby created and established. That area south and west of the line hereinafter described shall be precinct 4, box 1; and that area north and east of such line shall be precinct 4, box 2. Begin at the point of the intersection of the Louisville and Nashville Railroad and the western boundary of precinct 4, proceed easterly on the center line of the Louisville and Nashville Railroad to the intersection of the city limits of Orrville; then proceed along the southwest city limits line of Orrville to the intersection of Dallas County Highway 33; then proceed southeasterly on the center line of Highway 33 to its southern most point in Section 24, Township 14 North, Range 9 East; then proceed due south to the Alabama River, which is the boundary of said precinct No. 4.

Section 4. Beat 3, ward 2 of Houston County as the same has heretofore been established, is hereby divided to create beat 3, ward 2-A and beat 3, ward 2-B of such county. All that territory lying west of the line hereinafter described shall be said beat 3, ward 2-A; and all that territory lying south and east of this line shall be said beat 3, ward 2-B. Begin at the point of intersection of the Atlanta and St. Andrews Bay Railway and the southern city limits of Dothan, Alabama, proceed northerly along the center line of the Atlanta and St. Andrews Bay Railway to the intersection of Ross Clark Circle; then proceed easterly along the center line of Ross Clark Circle to the intersection of Cottonwood Road; then proceed northwesterly along the center line of Cottonwood Road to the intersection of Third Street; then proceed northerly along the center line of Third Street to the intersection of Main Street (U. S. Highway 84), which is the northern boundary of ward 2.

Section 5. Precinct 7, box 1 of Jefferson County, as the same has heretofore been established, is hereby divided to create precinct 7, box 1-A and precinct 7, box 1-B of such county. All that territory lying northwest of the line hereinafter described shall be precinct 7, box 1-A of Jefferson County; and all that territory lying southeast of the above-described boundary line shall be precinct 7, box 1-B. Begin at the point of intersection of the L & N Railroad and Sixteenth Street North, proceed northwesterly along the center line of Sixteenth Street North to the intersection of Thirty-first Avenue, North; then proceed northeasterly along the center line of Thirty-first Avenue, North, to the intersection of Twentieth Street; then proceed southeasterly along the center line of Twentieth Street, North, to the intersection of the L & N Railroad (the boundary of Precinct 7).

Section 6. Beat 12 of Lee County, as the same has heretofore been established, is hereby divided to create beat 12, box 1 and beat 12, box 2. All that territory lying west of the line hereinafter described shall be beat 12, box 1; and all that territory lying east of such line shall be beat 12, box 2. Begin at the point of intersection of the Starkie Creek and the southern boundary of Beat 12, proceed northerly along Starkie Creek to the intersection of Lee County Highway 12; then proceed easterly along the center line of Highway 12 to the intersection of Lee County Highway 79; then proceed northerly along the center line of Highway 79 to the intersection of the northern boundary of Beat 12.

Section 7. Precinct 38 in Mobile County, as the same has heretofore been established, is hereby divided to create precinct 38-A and precinct 38-B. All that territory lying north, west and south of the line hereinafter described shall be precinct 38-A; and all that territory lying east of this line shall be precinct 38-B. Begin at the point of intersection of the eastern boundary of precinct 38 and Orchard Drive, proceed westerly, then south along the center line of Orchard Drive to the intersection of Muscadine Avenue; then proceed east along the center line of Muscadine Avenue to the intersection of the eastern boundary of precinct 38.

Section 8. Ward 2-A of the City of Montgomery in Montgomery County, as the same has heretofore been established, is hereby divided to create ward 2-A-1 and ward 2-A-2. All that territory lying west of the boundary line hereinafter described shall be ward 2-A-1; and all that territory which is east of this line shall be ward 2-A-2 of Montgomery County. Begin at the point of intersection of Goode Street and West Jefferson Davis Avenue (boundary of ward 4-A), proceed westerly along the center line of West Jefferson Davis Avenue to the intersection of Virginia Avenue; then proceed northerly along the center line of Virginia Avenue to the intersection of Mildred Street; then proceed easterly along the center line of Mildred Street to the intersection of Caroline Street; then proceed northerly along the center line of Caroline Street to the intersection of the southern boundary of ward 6-B.

Also in the City of Montgomery, ward 3-A is divided to create ward 3-A-1 and ward 3-A-2. All that territory lying north of the boundary line hereinafter described shall be ward 3-A-1; and all that territory lying south of the hereinafter defined boundary line shall be ward 3-A-2. Begin at the point of intersection of Plymouth Street and the west boundary of ward 3-A, proceed westerly along the center line of Plymouth Street to the intersection of Court Street; then proceed northerly along the center line of Court Street to the intersection of Fairview Avenue; then proceed westerly along the center line of Fairview Avenue to the intersection of the west boundary of ward 2-B.

Also, in Montgomery County and the City of Montgomery, ward 8-A is divided to create ward 8-A-1 and ward 8-A-2. All that territory

3rd Day

lying south and west of the line hereinafter described shall be ward 8-A-1; and all that territory lying north and east of this line shall be ward 8-A-2. Begin at the point of intersection of Wellington Road and the southern boundary of ward 8-A proceed northerly along the center line of Wellington Road to the intersection of Plymouth Street; then proceed westerly along the center line of Plymouth Street to the intersection of the eastern boundary of ward 8-A.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. Code of Alabama, 1940, Title 32, Sections 1 and 2, and all other laws and parts of laws in conflict with this Act are hereby repealed.

Section 11. The provisions of this Act shall be effective for the election of members of the House of Representatives and for the election of Senators in the Alabama Legislature at the general election of 1974, and until each house of the Legislature, respectively, is reapportioned in accordance with the provisions of the Alabama Constitution.

SUBSTITUTE TABLED

On motion of Mr. Merrill, the substitute offered by Mr. Chesnut was tabled.

Yeas 66; Nays 19.

Yeas:

Mr. Speaker	Doss	Hill	Parker
Agee	Downing	Hobbie	Pruitt
Bank	Drake	Jackson	Reid (R)
Benton	Easters	Jones (E)	Reynolds
Boles	Edwards	King	Roberts
Bowers	Ellis	Kinsey	St. John
Burgess	Erdreich	Lang	Slate
Callahan	Falkenburg	Lutz	Smith (K)
Carter	Fite	McCorquodale	Snell
Cauthen	Flippo	McDonald	Stokes
Connell	Gafford	Manley	Stubbs
Coshatt	Goodwin	May	Turner
Cottingham	Grainger	Meeks	Turnham
Crawford	Hardin	Merrill	Waggoner
Cross	Harris	Naramore	Warren
Crowe	Headley	Owens	Weeks
Culver	Hearn		

—66

Nays:

Messrs.:	Chesnut	Nettles	Timmons
Adams	Gray (F)	Perloff	Waldrop
Boutwell	Grey (D)	Smith (P)	Wise
Brassell	Hale	Stewart	Wood
Carnes	Jones (F)	Therrell	Wynot

—19

AMENDMENT OFFERED

Mr. Chesnut offered the following amendment to the bill, H. 2, as amended:

At the end of the synopsis add the following:

This bill also proposes an alternative plan of reapportionment for the houses of the Legislature which provides for some multi-member house districts. The alternative plan is to be used only if the primary plan is held invalid in whole or in part by a court of competent jurisdiction. In this event the alternative plan or such parts of it as are applicable will be used.

At the end of the title of the bill, strike out the period and insert in lieu thereof a semicolon then add:

and also to provide an alternative plan of apportionment of the two houses of the legislature, which shall be used only in the event the primary plan is held invalid in whole or in part by a court of competent jurisdiction, and in that event the alternative plan in whole or in part shall be used in lieu of the primary plan hereby prescribed.

Insert immediately after Section 10 a new Section 11 and renumber the sections of the bill following Section 10 as Sections 12, 13 and 14, respectively.

Section 11. In the event the apportionment hereinabove prescribed is declared invalid or unconstitutional, in whole or in part by a court of competent jurisdiction, then the plan of apportionment hereinafter prescribed, which is known as the "Cherner Plan," shall apply to and govern the apportionment of the State of Alabama for the election of members of the house of representatives and of senators in the Alabama legislature. The plan of apportionment hereinabove prescribed shall be known as the primary plan of apportionment proposed by this Act and the plan of apportionment herein referred to as the Cherner Plan shall be known and called the Alternative Plan of apportionment of the legislature. The plan of apportionment set out in the Act hereto attached and marked Exhibit A and known as the Alternate Plan of apportionment shall be used for the purpose of apportioning the membership of the Alabama legislature only in the event the primary plan hereinabove prescribed is declared invalid or unconstitutional in whole or in part by a court of competent jurisdiction. If the declaration relative to the validity of this Act stipulates that only parts thereof are invalid or unconstitutional and there are parts of the alternative plan hereby prescribed which may be adapted and substituted for the invalid part, then only so much of the invalid plan as is needed to supply the missing parts for the primary plans shall be used. However if the entire plan of apportionment hereinabove prescribed is declared invalid then the entire plan of apportionment contained in the alternative plan shall apply to and govern apportionment of the Alabama legislature. The alternative plan of apportionment contained in the bill attached hereto and marked Exhibit A is hereby incorporated into and made a part of this Act as fully as if set out verbatim herein.

AMENDMENT TABLED

On motion of Mr. Merrill, the amendment offered by Mr. Chesnut was tabled.

Yeas 60; Nays 23.

Yeas:

Mr. Speaker	Callahan	Crawford	Drake
Bank	Carter	Cross	Easters
Barkett	Cauthen	Crowe	Edwards
Bassett	Connell	Culver	Ellis
Boles	Coshatt	Doss	Erdreich
Burgess	Cottingham	Downing	Falkenburg

JOURNAL OF THE HOUSE, 1973
3rd Day

Fite	Hill	Merrill	Slate
Flippo	Jackson	Naramore	Smith (K)
Gafford	Jones (E)	Owens	Snell
Goodwin	Lang	Pruitt	Stokes
Hale	McCluskey	Reid (R)	Stubbs
Hardin	McCorquodale	Reynolds	Turner
Harris	Manley	Roberts	Turnham
Headley	May	Robertson	Waggoner
Hearn	Meeks	St. John	Weeks

—60

Nays:

Messrs.:	Casey	King	Stewart
Adams	Chesnut	Lutz	Therrell
Agee	Grainger	McDonald	Timmons
Boutwell	Gray (F)	Nettles	Waldrop
Brassell	Grey (D)	Perloff	Wood
Carnes	Jones (F)	Smith (P)	Wynot

—23

And the bill, H. 2, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 22.

Yeas:

Mr. Speaker	Crowe	Hearn	Reid (R)
Adwell	Culver	Hill	Reynolds
Agee	Dill	Jackson	Roberts
Bank	Doss	Jones (E)	Robertson
Barkett	Downing	King	Slate
Benton	Easters	Kinsey	Smith (K)
Boles	Edwards	Lang	Smith (P)
Boutwell	Ellis	Lutz	Snell
Bowers	Erdreich	McCluskey	Stewart
Burgess	Falkenburg	McCorquodale	Taylor
Callahan	Fite	Manley	Turner
Carnes	Flippo	May	Turnham
Carter	Gafford	Merrill	Waggoner
Cauthen	Goodwin	Naramore	Waldrop
Chesnut	Grainger	Nettles	Wallace
Connell	Grey (D)	O'Daniel	Warren
Coshatt	Hale	Owens	Weeks
Cottingham	Hardin	Parker	Williams
Crawford	Headley	Pruitt	Wynot
Cross			

—77

Nays:

Messrs.:	Drake	Meeks	Stubbs
Adams	Gray (F)	Mims	Therrell
Bassett	Hobbie	Perloff	Timmons
Brassell	Jones (F)	Reed (T)	Wise
Casey	McDonald	St. John	Wood
Collins	Mathews	Stokes	

—22

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

EXTRAORDINARY SESSION
4, 5, 6, 7 Days

31

By Messrs. Chesnut and Casey:

H. 3. To provide for reapportionment of the two houses of the Legislature of Alabama and for the purpose of facilitating the equitable apportionment of representation therein, to create and establish additional wards or voting boxes by subdividing some beats or voting precincts or further subdividing some wards and boxes in certain counties. Judiciary.

RECESS

On motion of Mr. McCorquodale, the House stands in informal recess until 2:00 o'clock p. m., Wednesday, May 9, 1973, subject to a recall from the Speaker.

FOURTH DAY

House of Representatives
Montgomery, Alabama
Saturday, May 5, 1973

Pursuant to the adjournment motion to meet formally on May 9, 1973, adopted on the third legislative day, the House stood today in informal recess subject to the call of the Speaker.

FIFTH DAY

House of Representatives
Montgomery, Alabama
Sunday, May 6, 1973

Pursuant to the adjournment motion to meet formally on May 9, 1973, adopted on the third legislative day, the House stood today in informal recess subject to the call of the Speaker.

SIXTH DAY

House of Representatives
Montgomery, Alabama
Monday, May 7, 1973

Pursuant to the adjournment motion to meet formally on May 9, 1973, adopted on the third legislative day, the House stood today in informal recess subject to the call of the Speaker.

SEVENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, May 8, 1973

Pursuant to the adjournment motion to meet formally on May 9, 1973, adopted on the third legislative day, the House stood today in informal recess subject to the call of the Speaker.

8th Day

EIGHTH DAY

House of Representatives

Montgomery, Alabama

Wednesday, May 9, 1973

The House met pursuant to the adjournment motion adopted on the third legislative day.

PRAYER

The session was opened with prayer by Reverend Chester H. Jernigan, Pastor, Forest Park Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Crowe	Jones (E)	Reynolds
Adams	Culver	Jones (F)	Roberts
Adwell	Dill	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Bassett	Easters	McBride	Smith (P)
Benton	Edwards	McCluskey	Snell
Boles	Ellis	McCorquodale	Stewart
Boutwell	Erdreich	McDonald	Stokes
Bowers	Falkenburg	Manley	Stubbs
Brassell	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Gafford	Meeks	Timmons
Carnes	Goodwin	Merrill	Turner
Carter	Grainger	Mims	Turnham
Casey	Gray (F)	Naramore	Waggoner
Cauthen	Grey (D)	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hobbie	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

TOM DRAKE,

Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the sixth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventh legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the seventh legislative day was approved.

9th Day

RESIGNATION

Honorable Horace W. Parker, member of the House of Representatives of Jefferson County, submitted his letter of resignation, having been elected Treasurer of Jefferson County on November 7, 1972.

ADJOURNMENT

On motion of Mr. McCorquodale, the House adjourned until 10:00 o'clock a. m., Thursday, May 10, 1973.

NINTH DAY

House of Representatives

Montgomery, Alabama

Thursday, May 10, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Lester Spencer, Minister, Aldersgate United Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Crowe	Jones (E)	Reynolds
Adams	Culver	Jones (F)	Roberts
Adwell	Dill	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Bassett	Easters	McBride	Smith (P)
Benton	Edwards	McCluskey	Snell
Boles	Ellis	McCorquodale	Stewart
Boutwell	Erdreich	McDonald	Stokes
Bowers	Falkenburg	Manley	Stubbs
Brassell	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Gafford	Meeks	Timmons
Carnes	Goodwin	Merrill	Turner
Carter	Grainger	Mims	Turnham
Casey	Gray (F)	Naramore	Waggoner
Cauthen	Grey (D)	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hobbie	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

A quorum was present.

—100

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it

EXTRAORDINARY SESSION
9th Day

35

has carefully examined the Journal of the House for the eighth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eighth legislative day was approved.

RECESS

On motion of Mr. Merrill, the House recessed until 12 o'clock noon.

HOUSE RECONVENED

The hour of 12 o'clock noon having arrived, the House reconvened and the Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 2. To provide for reapportionment of the two houses of the Legislature of Alabama, so as to provide for single member districts in both the house and the senate, and for the purpose of facilitating the equitable apportionment of representation therein, to create and establish additional wards or voting boxes by subdividing some beats or voting precincts or further subdividing some wards and boxes in certain counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Merrill moved that the House concur in and adopt the Senate amendments to the bill, H. 2, said Senate amendments being as follows:

In Section 1 (a) strike out in their entirety the descriptions of the following districts: District 19, District 20 and District 21, and substitute in lieu thereof the following:

District 19, Marion County (All Beats); Walker County, Beats 3, 4, 5, 24, 25, 26, 29, 32, 34 and 35.

District 20, Fayette County (All Beats); Walker County, Beats 6, 7, 8, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, and 31.

District 21, Walker County, Beats 1, 2, 14, 15, 16, 17, 27, 28, 30, 33, 36, 37 and 38.

In Section 1 (a) strike out in their entirety the descriptions of the following districts: District 22 and 23, and substitute in lieu thereof the following:

District 22, Winston County (all Beats) Cullman County, Beat 1, Box B (as hereinafter in Section 4 described), Beats 2, 3, 11, 12, 13, 14 Box 1, 15 Box 2, 24, 25, 26, 27, 29 and 31.

District 23, Cullman County, Beat 1, Box A (as hereinafter in Section 4 described), Beats 14 Box 2, 15 Box 1, 16, 17, 18, 19, 20, 21, 22, 23, 28, 30, 32, 33, and 34.

Amend Section 1(A) of H. B. 2 by deleting in their entirety House Districts 37, 38, 39, 40, 47, 48, 49, and 50; and substituting in lieu thereof the following:

"House District 37, Precincts 1-22, 6-4, 18-2, 19, 20, and 21.

"House District 38, Precincts 10-13, 16-1, 16-3, 17-1, and 22.

"House District 39, Precincts 4-2, 5-1, 6-1, 6-2, 6-5, 7-1, 7-3, and 18-1.

"House District 40, Precincts 10-4, 105, 10-15, 10-17, and 17-2.

"House District 47, Precincts 5-2, 5-4, 5-5, 6-3, 9-2, 9-3, 9-9, and 9-10.

"House District 48, Precincts 9-5, 9-7, 9-8, 9-12 and 5-3.

"House District 49, Precincts 1-11, 1-13, 1-16, 1-26, 1-31, 1-30, 9-14, and 9-15.

"House District 50, Precincts 1-7, 1-15, 1-18, 1-24, 2 and 4-1."

In Section 2 delete the last 2 words "as follows:" and add in lieu thereof the following: or except those districts composed of area in Jefferson County and Districts 14 and 15 which contain some area in Shelby County shall be composed of area enumerated by precincts, boxes and beat numbers as follows:

Further amend said Section 2 by striking out the description of Districts 12 through 18, inclusive, and substituting the following:

District 12 Precincts 7-1, 7-2, 8, 10-7, 10-8, 10-9, 10-11, 24-1, 24-3, 25-3, 25-7 in Jefferson County;

District 13 Precincts 1-13, 1-16, 1-26, 1-29, 5, 9-1, 9-2, 9-3, 9-4, 9-6, 9-8, 9-9, 9-11, 9-12, 9-13, 9-15, 9-16, 9-17, 7-5 in Jefferson County;

District 14 Precincts 1-14, 1-17, 9-5, 9-7, 9-10, 9-14, 25-1, 25-2, 25-6, 25-10, 25-11, in Jefferson County and Beats 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 17, 19, 20, 21 in Shelby County;

District 15 Precincts 10-6, 10-10, 12, 13, 14, 15, 16, 24-2, 24-4, 25-4, 25-5, 25-8, 25-9, in Jefferson County and Beats 13, 14, 15, 16, 18 in Shelby County;

District 16 Precincts 10-1, 10-2, 10-3, 10-4, 10-5, 10-12, 10-13, 10-14, 10-15, 10-16, 10-17, 23(1), 23-1, 23-2, 7-4 in Jefferson County;

District 17 Precincts 2-1, 2-2, 1-8, 1-22, 6-1, 6-3, 6-4, 6-5, 7-3, 17-1, 18, 19, 20, 21, 22, 4, 1-23, 6-2, 17-2, 1-19 in Jefferson County;

District 18 Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-9, 1-10, 1-11, 1-12, 1-15, 1-18, 1-20, 1-21, 1-24, 1-25, 1-27, 1-28, 1-30, 1-31, 1-32, 2-3, in Jefferson County;

In Section 2:

Delete from District 13, Precinct 1-29

Add to District 18, Precinct 1-29

Delete from District 18, Precinct 1-15

Add to District 17, Precinct 1-15

Delete from District 17, Precinct 6-2

Add to District 13, Precinct 6-2

Delete from District 13, Precinct 1-26

Add to District 14, Precinct 1-26

Delete from District 13, Precinct 9-6

Add to District 14, Precinct 9-6

Delete from District 14, Precinct 9-7

Add to District 13, Precinct 9-7

Delete from District 12, Precinct 7-1

Add to District 13, Precinct 7-1

Amend Section 2 by deleting therefrom the first paragraph thereof in its entirety and substituting therefor the following: "The Senate of the Legislature of Alabama shall consist of 35 members and the State is divided into 35 Senatorial Districts for the election of one Senator from each District at large. Each Senator shall reside in the District he represents. Each Senatorial District shall be composed of Districts into which the State is divided by Section 1 of this Act for the purpose of the election of members of the House of Representatives of the Legislature of Alabama or of areas enumerated by precincts, boxes and beat numbers all as follows:

Further amend Section 2 by striking out the description of districts 2, 3, 4, 5, and 22, and substituting the following descriptions for each designated district.

District 2 Limestone County Beats 2, 3, 12, and 13 Madison County Precincts, 1 Ward I-1, 1 Ward I-2, 1 Ward I-4, 1 Ward I-6, 1 Ward IV-2, 1 Ward IV-3, 1 Ward IV-4, 1 Ward IV-5, 1 Ward IV-6, 1 Ward IV-7, 1 Ward IV-8, 1 Ward IV-9, 1 Ward IV-10, 8, 9, 10, 11, 12, 16, 17, 21, 23, 27.

District 3 Madison County Precincts: 1 Ward I-3, 1 Ward I-5, 1 Ward II, 1 Ward III, 1 Ward IV-1, 1 Ward V, 2, 3, 4, 6, 7, 13, 14, 15, 18, 19, 20, 22, 25, 26. Jackson County Beats: 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 25, 26, 27, 31, 32, 33, 34, 35, 36, 37.

District 4 DeKalb County (All Beats); Jackson County Beats: 1, 3, 4, 5, 11, 12, 21, 24, 28, 29, 30, 38, 39. Marshall County Beats: 1, 4, 5, 6, 7, 8, 16, 17, 18, 20, 24, 28.

District 5 Marshall County Beats: 2, 3, 9, 10, 11, 12, 13, 14, 15, 19, 21, 22, 23, 25, 26, 27, 29, 30. Morgan County (All Beats)

District 22: Cleburne County (All Beats) Clay County (All Beats) Randolph County (All Beats) Cherokee County (All Beats) Tallapoosa County (All Beats)

RECESS

On motion of Mr. Stubbs, the House recessed for fifteen minutes.

Yeas 45; Nays 34.

Yeas:

Messrs.:	Drake	McCluskey	St. John
Adams	Easters	McDonald	Smith (P)
Agee	Edwards	Mathews	Stokes
Barkett	Ellis	May	Stubbs
Boles	Flippo	Mims	Therrell
Carter	Goodwin	Owens	Timmons
Casey	Gray (F)	Reed (T)	Turner
Cauthen	Grey (D)	Reid (R)	Warren
Coshatt	Headley	Reynolds	Williams
Cottingham	Hill	Roberts	Wise
Culver	Hobbie	Robertson	Wood
Downing	Jackson		

—45

Nays:

Mr. Speaker	Doss	Lutz	Slate
Benton	Erdreich	McCorquodale	Smith (K)
Boutwell	Falkenburg	Manley	Snell
Bowers	Gafford	Meeks	Stewart
Callahan	Grainger	Merrill	Waggoner
Carnes	Harris	Naramore	Waldrop
Chesnut	Jones (E)	Parker	Wallace
Connell	King	Pruitt	Weeks
Crawford	Kinsey		

—34

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

SENATE MESSAGE RESUMED

The question, then, was again on the motion of Mr. Merrill that the House concur in and adopt the Senate amendments to the bill, H. 2.

MOTION TO RECESS LOST

The motion of Mr. Headley that the House recess for ten minutes was lost.

SENATE MESSAGE RESUMED

The question, then, was again on the motion of Mr. Merrill that the House concur in and adopt the Senate amendments to the bill, H. 2.

SUBSTITUTE MOTION TABLED

Mr. Stubbs offered the substitute motion that the House nonconcur in the Senate amendments to the bill, H. 2, and request a Committee on Conference.

On motion of Mr. Merrill, the substitute motion offered by Mr. Stubbs was tabled.

Yeas 62; Nays 23.

Yeas:

Mr. Speaker	Boles	Burgess	Carter
Bank	Boutwell	Callahan	Casey
Barkett	Bowers	Carnes	Cauthen

EXTRAORDINARY SESSION
9th Day

39

Chesnut	Flippo	Manley	Slate
Connell	Gafford	Meeks	Smith (K)
Coshatt	Goodwin	Merrill	Snell
Cottingham	Grainger	Mims	Stewart
Crawford	Grey (D)	Naramore	Turner
Culver	Hardin	O'Daniel	Turnham
Dill	Hill	Owens	Waggoner
Doss	Jackson	Parker	Waldrop
Drake	Jones (E)	Pruitt	Wallace
Edwards	King	Reid (R)	Warren
Ellis	Kinsey	Roberts	Weeks
Erdreich	Lutz	St. John	Wynot
Falkenburg	McCorquodale		

—62

Nays:

Messrs.:	Gray (F)	May	Stokes
Adams	Headley	Perloff	Stubbs
Adwell	Hobbie	Reed (T)	Timmons
Agee	Jones (F)	Reynolds	Williams
Collins	McCluskey	Robertson	Wise
Easters	McDonald	Smith (P)	Wood

—23

SENATE MESSAGE RESUMED

The question, then, was again on the motion of Mr. Merrill that the House concur in and adopt the Senate amendments to the bill, H. 2.

MOTION TO TABLE LOST

The motion offered by Mr. Reed (T) to table the Senate amendments to the bill, H. 2, was lost.

Yeas 9; Nays 67.

Yeas:

Messrs.:	Headley	Reed (T)	Wise
Collins	McDonald	Williams	Wood
Gray (F)	Perloff		

—9

Nays:

Mr. Speaker	Cottingham	Jackson	Roberts
Adams	Crawford	Jones (E)	Robertson
Adwell	Culver	King	St. John
Bank	Doss	Kinsey	Slate
Barkett	Downing	Lutz	Smith (K)
Benton	Drake	McCluskey	Snell
Boles	Edwards	McCorquodale	Stewart
Boutwell	Ellis	Manley	Stokes
Bowers	Erdreich	May	Timmons
Burgess	Falkenburg	Meeks	Turner
Callahan	Flippo	Merrill	Turnham
Carnes	Goodwin	Naramore	Waggoner
Carter	Grainger	Owens	Waldrop
Casey	Grey (D)	Parker	Wallace
Chesnut	Hardin	Pruitt	Warren
Connell	Harris	Reid (R)	Wynot
Coshatt	Hill	Reynolds	

—67

JOURNAL OF THE HOUSE, 1973
9th Day

SENATE MESSAGE RESUMED

The question, then, was again on the motion of Mr. Merrill that the House concur in and adopt the Senate amendments to the bill, H. 2.

MOTION TO ADJOURN LOST

The motion of Mr. Stubbs that the House adjourn until 10:00 a. m., Tuesday, May 15, 1973, was lost.

SENATE MESSAGE ADOPTED

The question, then, was again on the motion of Mr. Merrill that the House concur in and adopt the Senate amendments to the bill, H. 2, and the motion was adopted.

Yeas 74; Nays 16.

Yeas:

Mr. Speaker	Crawford	Jones (E)	Reynolds
Adwell	Cross	King	Roberts
Agee	Culver	Kinsey	Robertson
Bank	Dill	Lutz	Slate
Barkett	Doss	McCluskey	Smith (K)
Boles	Downing	McCorquodale	Smith (P)
Boutwell	Edwards	Manley	Snell
Bowers	Ellis	Mathews	Stewart
Burgess	Erdreich	May	Taylor
Callahan	Falkenburg	Meeks	Timmons
Carnes	Flippo	Merrill	Turner
Carter	Gafford	Mims	Turnham
Casey	Goodwin	Naramore	Waggoner
Cauthen	Grainger	O'Daniel	Waldrop
Chesnut	Grey (D)	Owens	Wallace
Collins	Hardin	Parker	Warren
Connell	Headley	Pruitt	Weeks
Coshatt	Hill	Reid (R)	Wynot
Cottingham	Jackson		

—74

Nays:

Messrs.:	Gray (F)	Perloff	Stubbs
Adams	Hobbie	Reed (T)	Williams
Bassett	Jones (F)	St. John	Wise
Drake	McDonald	Stokes	Wood
Easters			

—16

H. 2 AS AMENDED

And the bill, H. 2, as thus amended, was again read at length and passed.

Yeas 74; Nays 19.

Yeas:

Mr. Speaker	Boles	Carter	Cottingham
Adwell	Boutwell	Cauthen	Crawford
Agee	Bowers	Chesnut	Cross
Bank	Burgess	Collins	Crowe
Barkett	Callahan	Connell	Culver
Benton	Carnes	Coshatt	Dill

EXTRAORDINARY SESSION
9th Day

41

Doss	Headley	Merrill	Smith (P)
Downing	Hill	Naramore	Snell
Edwards	Jackson	O'Daniel	Stewart
Ellis	Jones (E)	Owens	Taylor
Erdreich	King	Parker	Turner
Falkenburg	Kinsey	Pruitt	Turnham
Flippo	Lutz	Reid (R)	Waggoner
Gafford	McCluskey	Reynolds	Waldrop
Goodwin	McCorquodale	Roberts	Wallace
Grainger	Manley	Robertson	Warren
Grey (D)	Mathews	Slate	Weeks
Hardin	May	Smith (K)	Wynot
Harris	Meeks		

—74

Nays:

Messrs.:	Easters	Mims	Stubbs
Adams	Gray (F)	Perloff	Timmons
Bassett	Hobbie	Reed (T)	Williams
Casey	Jones (F)	St. John	Wise
Drake	McDonald	Stokes	Wood

—19

RESOLUTION

The following resolution was introduced:

By Mr. Adwell:

H. R. 4. ESTABLISHING A TRUST FUND BY DONATIONS FROM THE MEMBERS OF THE HOUSE TO ENABLE THE HOUSE CLERICAL STAFF AND OTHER EMPLOYEES TO RECEIVE THEIR NORMAL PAY.

WHEREAS a recent attorney general's ruling will prevent the clerical staff and other employees of the House of Representatives from receiving their normal and proper pay; and

WHEREAS the House of Representatives has passed and sent to the Senate a bill which will entitle the clerical staff and other employees of both the House and the Senate to receive their normal and proper pay; and

WHEREAS this bill is being held in the Senate without action and prevented from passing in sufficient time to meet the current pay period; and

WHEREAS the House is greatly desirous of seeing that its loyal, faithful and competent clerical staff and other employees receive their normal pay; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, That the Clerk of the House, the Honorable John Pemberton, is hereby designated as a trust officer to receive donations including the pay checks of such number of the members of the House of Representatives as desire to participate that they will receive tomorrow and the Clerk is hereby directed to establish a trust fund with said donations and pay from said trust fund the difference between what the clerical help and employees of the House of Representatives will actually receive tomorrow and what they would have received had it not been for the recent attorney general's ruling and the failure of the Senate to pass the aforesaid pay bill.

The Clerk is further directed to secure the promisory note of each employee of the House drawing funds from said trust agreement and

to secure the repayment of said loan funds whenever the Senate shall finally act on a clerical and employee bill to the end that the funds loaned to him or her from the trust fund shall be repaid to the members and he is directed to report back to the House of his stewardship of said trust fund.

On motion of Mr. Adwell, the rules were suspended and the resolution, H. R. 4, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 2. To provide for reapportionment of the two houses of the Legislature of Alabama, so as to provide for single member districts in both the house and the senate, and for the purpose of facilitating the equitable apportionment of representation therein, to create and establish additional wards or voting boxes by subdividing some beats or voting precincts or further subdividing some wards and boxes in certain counties.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 3. Designating Wing B of Alumni Hall at Troy State University the Frank S. Anderson Wing.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

EXTRAORDINARY SESSION
9th Day

43

RESOLUTION

The following resolution was introduced:

By Mr. McCorquodale:

H. J. R. 5. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, May 15, 1973.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 5, was adopted.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bill and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 1:50 P.M. On May 10, 1973

H. 2

H. J. R. 2

H. J. R. 3

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cook:

S. J. R. 8. BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That when the two houses adjourn today, they adjourn to meet again on Wednesday, May 16th, 1973.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the rules were suspended in order to bring up for immediate consideration the S. J. R. 8, set out in the above and foregoing Message from the Senate.

Mr. McCorquodale offered the following amendment for the resolution, S. J. R. 8:

Amend S. J. R. 8 to read as follows:

Be it resolved by the Senate, the House concurring that when the two Houses adjourn today, they adjourn to meet again on Tuesday, May 15, 1973.

10th Day

And the amendment was adopted.

And the resolution, S. J. R. 8, as amended, was adopted.

ADJOURNMENT

On motion of Mr. McCorquodale, the House adjourned until 5:00 o'clock p.m., Tuesday, May 15, 1973.

TENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, May 15, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Bishop Carl J. Sanders, United Methodist Church, Alabama West Florida Conference, North Alabama Conference.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Crowe	Jones (E)	Reynolds
Adams	Culver	Jones (F)	Roberts
Adwell	Dill	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Bassett	Easters	McBride	Smith (P)
Benton	Edwards	McCluskey	Snell
Boles	Ellis	McCorquodale	Stewart
Boutwell	Erdreich	McDonald	Stokes
Bowers	Falkenburg	Manley	Stubbs
Brassell	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Gafford	Meeks	Timmons
Carnes	Goodwin	Merrill	Turner
Carter	Grainger	Mims	Turnham
Casey	Gray (F)	Naramore	Waggoner
Cauthen	Gray (D)	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hobbie	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the ninth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the ninth legislative day was approved.

MESSAGE FROM THE GOVERNOR .

To The House of Representatives
State Capitol
Montgomery, Alabama
Gentlemen:

I herewith transmit to you a Message from the Governor, returning House Bill Number 2, with a suggested Executive Amendment.

Respectfully submitted,
HARRY L. PENNINGTON,
Executive Secretary.

Done this 15 day of May 1973.

To the House of Representatives
State Capitol
Montgomery, Alabama
Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 2, without my approval and with a suggested Executive Amendment.

It is suggested that Section 1 (a) with respect to District 29 be amended to read as follows:

"District 29, Calhoun County, Beats 12, 15-1, 15-2, 15-3, 15-4, 15-5, 15-6, 15-7 (as hereinafter in Section 3 described), 15-Military Reservation, and 17."

It is further suggested that said Section 1 (a) with respect to House District 58 be amended to read as follows:

"District 58, Lamar County (all precincts); Pickens County, Beats 1, 2, 3, 4, 5, 6, 7, 8, 9-A (as hereinafter in Section 9 described), 12, 13, 14, 19, 21, 24, and 25."

It is further suggested that said Section 1 (a) with respect to District 61 be amended to read as follows:

"District 61, Perry County (all beats); Bibb County, Beats 3, 4, 5, and 12; Tuscaloosa County, Beat 3, Box 16, Beat 3, Box 17, Beat 3, Box 18, Beat 3, Box 19, and Beat 5, Box 23."

JOURNAL OF THE HOUSE, 1973
10th Day

The foregoing suggested amendments are to correct obvious typographical errors and, if adopted, will remove my objections to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

Done this 15 day of May, 1973.

GOVERNOR'S MESSAGE

On motion of Mr. Merrill, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. 2, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Adwell	Downing	Kinsey	St. John
Agee	Easters	Lang	Slate
Bank	Edwards	Lutz	Smith (K)
Barkett	Ellis	McBride	Smith (P)
Bassett	Erdreich	McCluskey	Snell
Benton	Falkenburg	McCorquodale	Stewart
Boles	Fite	McDonald	Stokes
Boutwell	Flippo	Manley	Stubbs
Brassell	Gafford	Mathews	Taylor
Burgess	Grainger	May	Therrell
Callahan	Gray (F)	Merrill	Timmons
Carnes	Grey (D)	Naramore	Turner
Carter	Hardin	O'Daniel	Turnham
Casey	Harris	Owens	Waggoner
Cauthen	Headley	Parker	Waldrop
Chesnut	Hearn	Perloff	Wallace
Collins	Hill	Pruitt	Warren
Connell	Hobbie	Reed (T)	Weeks
Coshatt	Jackson	Reid (R)	Wise
Cross	Jones (E)	Reynolds	Wynot

—88

Nays:

—0

Which was a majority of the whole number elected to the House.

And the bill:

H. 2. To provide for reapportionment of the two houses of the Legislature of Alabama, so as to provide for single member districts in both the house and the senate, and for the purpose of facilitating the equitable apportionment of representation therein, to create and establish additional wards or voting boxes by subdividing some beats or voting precincts or further subdividing some wards and boxes in certain counties.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed:

EXTRAORDINARY SESSION
10th Day

47

Yeas 78; Nays 11.

Yeas:

Mr. Speaker	Cottingham	Jackson	Reid (R)
Adwell	Cross	Jones (E)	Reynolds
Agee	Dill	King	Roberts
Bank	Doss	Kinsey	Robertson
Barkett	Downing	Lang	St. John
Bassett	Easters	Lutz	Slate
Benton	Edwards	McBride	Smith (K)
Boles	Ellis	McCluskey	Smith (P)
Boutwell	Erdreich	McCorquodale	Snell
Brassell	Falkenburg	Manley	Stewart
Burgess	Fite	Mathews	Taylor
Callahan	Flippo	May	Turner
Carnes	Gafford	Merrill	Turnham
Carter	Grainger	Naramore	Waggoner
Casey	Grey (D)	O'Daniel	Waldrop
Cauthen	Hardin	Owens	Warren
Chesnut	Harris	Parker	Weeks
Collins	Headley	Perloff	Wise
Connell	Hearn	Pruitt	Wynot
Coshatt	Hill		

—78

Nays:

Messrs.:	Hobbie	Stokes	Timmons
Adams	McDonald	Stubbs	Williams
Gray (F)	Reed (T)	Therrell	Wise

—11

Which was a majority of the whole number elected to the House.

RESOLUTION

The following resolution was introduced:

By Messrs. McCorquodale, Lyons, Doss, Adams, Adwell, Agee, Bank, Barkett, Bassett, Benton, Boles, Boutwell, Bowers, Brassell, Burgess, Callahan, Carnes, Carter, Casey, Cauthen, Chesnut, Collins, Connell, Coshatt, Cottingham, Crawford, Cross, Crowe, Culver, Dill, Downing, Drake, Easters, Edwards, Ellis, Erdreich, Falkenburg, Fite, Flippo, Gafford, Goodwin, Grainger, Gray (F), Grey (D), Hardin, Harris, Headley, Hearn, Hill, Hobbie, Jackson, Jones (E), Jones (F), King, Kinsey, Lang, Lutz, McBride, McCluskey, McDonald, Manley, Mathews, May, Meeks, Merrill, Mims, Naramore, Nettles, O'Daniel, Owens, Parker, Perloff, Pruitt, Reed (T), Reid (R), Reynolds, Roberts, Robertson, St. John, Slate, Smith (K), Smith (P), Snell, Stewart, Stokes, Stubbs, Taylor, Therrell, Timmons, Turner, Turnham, Waggoner, Waldrop, Wallace, Warren, Weeks, Williams, Wise, Wood and Wynot:

H. J. R. 6. COMMENDING GOVERNOR GEORGE C. WALLACE FOR HIS COURAGE AND LEADERSHIP AND WISHING HIM A SPEEDY AND TOTAL RECOVERY.

WHEREAS, one year ago today a pall fell over Alabama and throughout the world when an assassin, professing friendship, shot down our Governor in the State of Maryland; and

WHEREAS, at the time he was laid low, Governor George C. Wallace was a leading Democratic candidate for the Presidency of the United States; and

WHEREAS, Governor Wallace received more popular votes than any other candidate for the Democratic nomination in the primaries in which he actively participated; and

WHEREAS, no man in the political history of this nation so dramatically carried the "message" of the average man to the American people than Governor Wallace; and

WHEREAS, when five pistol shots echoed around the world millions of men, women and children, who in darkness and despair had borne the labors of the human race, stood with heads bowed and arms outstretched in mute appeal to the God of the nations to spare the life of this Great American; and

WHEREAS, when it become known that Governor Wallace would survive, joy filled the hearts of all people of goodwill and prayerful thanks to God reverberated from every corner of the globe; and

WHEREAS, in his hour of travail, Governor Wallace manifested courage and determination that is the despair of emulation which shows the mark of the man; and

WHEREAS, today as he steadfastly regains his health, he remains humble before God with no ill will or rancor in his heart for the man who tried to take his life; and

WHEREAS, countless millions of people are following his progress each day with the fervent hope and prayer that they will again see him completely restored in health and body.

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives, the Senate concurring:

1. That we do hereby commend and laud Governor Wallace for his courage and leadership in State and national affairs and wish him Godspeed in total recovery of his health and body.

2. That a copy of this Resolution be furnished Governor George C. Wallace.

On motion of Mr. McCorquodale, the rules were suspended and the resolution was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Fite	Lang
Adams	Collins	Flippo	Lutz
Adwell	Connell	Gafford	McBride
Agee	Coshatt	Goodwin	McCluskey
Bank	Cottingham	Grainger	McCorquodale
Barkett	Crawford	Gray (F)	McDonald
Bassett	Cross	Grey (D)	Manley
Benton	Crowe	Hardin	Mathews
Boles	Culver	Harris	May
Boutwell	Dill	Headley	Meeks
Bowers	Doss	Hearn	Merrill
Brassell	Downing	Hill	Mims
Burgess	Drake	Hobbie	Naramore
Callahan	Easters	Jackson	Nettles
Carnes	Edwards	Jones (E)	O'Daniel
Carter	Ellis	Jones (F)	Owens
Casey	Erdreich	King	Parker
Cauthen	Falkenburg	Kinsey	Perloff

EXTRAORDINARY SESSION
10th Day

49

Pruitt	Slate	Taylor	Wallace
Reed (T)	Smith (K)	Therrell	Warren
Reid (R)	Smith (P)	Timmons	Weeks
Reynolds	Snell	Turner	Williams
Roberts	Stewart	Turnham	Wise
Robertson	Stokes	Waggoner	Wood
St. John	Stubbs	Waldrop	Wynot

—100

Nays:

—0

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Pelham:

S. J. R. 9. COMMENDING GOVERNOR GEORGE C. WALLACE FOR HIS COURAGE AND LEADERSHIP AND WISHING HIM A SPEEDY AND TOTAL RECOVERY.

WHEREAS, one year ago today a pall fell over Alabama and throughout the world when an assassin, professing friendship, shot down our Governor in the State of Maryland; and

WHEREAS, at the time he was laid low, Governor George C. Wallace was a leading Democratic candidate for the Presidency of the United States; and

WHEREAS, Governor Wallace received more popular votes than any other candidate for the Democratic nomination in the primaries in which he actively participated; and

WHEREAS, no man in the political history of this nation so dramatically carried the "message" of the average man to the American people than Governor Wallace; and

WHEREAS, when five pistol shots echoed around the world millions of men, women and children, who in darkness and despair had borne the labors of the human race, stood with heads bowed and arms outstretched in mute appeal to the God of the nations to spare the life of this Great American; and

WHEREAS, when it became known that Governor Wallace would survive, joy filled the hearts of all people of goodwill and prayerful thanks to God reverberated from every corner of the globe; and

WHEREAS, in his hour of travail, Governor Wallace manifested courage and determination that is the despair of emulation which shows the mark of the man; and

WHEREAS, today as he steadfastly regains his health, he remains humble before God with no ill will or rancor in his heart for the man who tried to take his life; and

WHEREAS, countless millions of people are following his progress each day with the fervent hope and prayer that they will again see him completely restored in health and body.

NOW, THEREFORE, BE IT RESOLVED by the Senate, the House of Representatives concurring:

JOURNAL OF THE HOUSE, 1973
10th Day

1. That we do hereby commend and laud Governor Wallace for his courage and leadership in State and national affairs and wish him God-speed in total recovery of his health and body.

2. That a copy of this Resolution be furnished Governor George C. Wallace.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the rules were suspended and the House concurred in and adopted the S. J. R. 9 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 2. To provide for reapportionment of the two houses of the Legislature of Alabama, so as to provide for single member districts in both the house and the senate, and for the purpose of facilitating the equitable apportionment of representation therein, to create and establish additional wards or voting boxes by subdividing some beats or voting precincts or further subdividing some wards and boxes in certain counties.

by a majority of the whole number elected to the Senate, said vote being Yeas 30, Nays 1.

And said Bill, H. B. 2, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 29, Nays 3.

And said Bill, H. B. 2, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 6. COMMENDING GOVERNOR GEORGE C. WALLACE FOR HIS COURAGE AND LEADERSHIP AND WISHING HIM A SPEEDY AND TOTAL RECOVERY.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill to-wit:

EXTRAORDINARY SESSION
11th Day

51

H. 2. To provide for reapportionment of the two houses of the Legislature of Alabama, so as to provide for single member districts in both the house and the senate, and for the purpose of facilitating the equitable apportionment of representation therein, to create and establish additional wards or voting boxes by subdividing some beats or voting precincts or further subdividing some wards and boxes in certain counties.

And finds same correctly enrolled with Executive Amendment.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bill hereinafter mentioned was delivered to the Executive Department on the date and hour named, and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 6:25 P. M. On May 15, 1973.

H. 2 (Executive Amendment)

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. McCorquodale, the House adjourned until 5:00 o'clock p. m., Wednesday, May 16, 1973.

ELEVENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, May 16, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Chriss Doss, Birmingham, Alabama, member of the House of Representatives.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Crowe	Jones (E)	Reynolds
Adams	Culver	Jones (F)	Roberts
Adwell	Dill	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Bassett	Easters	McBride	Smith (P)
Benton	Edwards	McCluskey	Snell
Boles	Ellis	McCorquodale	Stewart
Boutwell	Erdreich	McDonald	Stokes
Bowers	Falkenburg	Manley	Stubbs
Brassell	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Gafford	Meeks	Timmons
Carnes	Goodwin	Merrill	Turner
Carter	Grainger	Mims	Turnham
Casey	Gray (F)	Naramore	Waggoner
Cauthen	Grey (D)	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hobbie	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

A quorum was present.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 6. Commending Governor George C. Wallace for his courage and leadership and wishing him a speedy and total recovery.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the tenth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

EXTRAORDINARY SESSION
12th Day

53

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the tenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the tenth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 9. COMMENDING GOVERNOR GEORGE C. WALLACE FOR HIS COURAGE AND LEADERSHIP AND WISHING HIM A SPEEDY AND TOTAL RECOVERY.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 5:10 P. M. On May 16, 1973

H. J. R. 6

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. McCorquodale, the House adjourned until 5:00 o'clock p. m., Thursday, May 17, 1973.

TWELFTH DAY

House of Representatives
Montgomery, Alabama
Thursday, May 17, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Philip Black, Minister, Carriage Hills Church of Christ, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Crowe	Jones (E)	Reynolds
Adams	Culver	Jones (F)	Roberts
Adwell	Dill	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Bassett	Easters	McBride	Smith (P)
Benton	Edwards	McCluskey	Snell
Boles	Ellis	McCorquodale	Stewart
Boutwell	Erdreich	McDonald	Stokes
Bowers	Falkenburg	Manley	Stubbs
Brassell	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Gafford	Meeks	Timmons
Carnes	Goodwin	Merrill	Turner
Carter	Grainger	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hobbie	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot

—100

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eleventh legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the eleventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eleventh legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution, S. J. R. 1, and ordered same returned to the House with a favorable report:

RESOLUTION ON THE RETIREMENT OF MISS MITTIE MILLER.

And the resolution, S. J. R. 1, was concurred in and adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H. J. R. 5. RELATIVE TO ADJOURNMENT OF THE TWO HOUSES UNTIL TUESDAY, MAY 15, 1973.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Pierce, Vacca, Jones, O'Bannon, Baker, Fine, Wilder and King:

S. J. R. 10. THANKING THE ETOWAH COUNTY LEGISLATIVE DELEGATION AND CERTAIN ORGANIZATIONS FOR THEIR HOSPITALITY.

WHEREAS the Downtown Action Council of Gadsden, the Gadsden Chamber of Commerce, the Etowah County Legislative Delegation, the Gadsden and Etowah County Commissioners and the citizens of Gadsden and Etowah County extended their most cordial hospitality to all members of this Legislature and to their wives and guests for a "Legislative Weekend" which was held in Gadsden on May tenth and eleventh; and

WHEREAS the pleasurable anticipation of this past weekend was exceeded only by the fulfillment of participation in the most delightful and enjoyable events which our considerate and genial hosts had so thoughtfully planned for us during the two days of gala activities; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish to thank our hosts and all those who contributed so generously and graciously of their time and efforts in making this a truly delightful weekend. We wish particularly to thank the entire Etowah County Legislative Delegation for their hospitality and assure them that we were deeply impressed by the beauty of their entire area, by its wealth of natural resources and its capacity for continued growth and development.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to each of the organizations who extended this invitation to us.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the rules were suspended and the House concurred in and adopted the S. J. R. 10 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Littleton:

S. J. R. 4. WHEREAS, Mrs. Eulynne Brantley Melton, mother of fellow Senator Billy Melton, has been seriously ill in Mobile Infirmary; and

WHEREAS, Mrs. Melton is beginning to regain her health and strength after a severe heart attack; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we share in Senator Melton's thanksgiving for his mother's recovery, and pray for her continued improvement.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Senator Melton.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the rules were suspended and the House concurred in and adopted the S. J. R. 4 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Fine, Bailes, Baker, Branyon, Carr, Clark, Cook, Dominick, Dozier, Edington, Foshee, Gilmore, Givhan, Harris, Hawkins, Horne, Jones, King, Lindsey, Littleton, Lybrand, McLain, Malone, Melton, Noonan, O'Bannon, Owen, Pelham, Pierce, Register, Shelby, Vacca, Weaver, Wilder, Wilson:

S. J. R. 6. CONGRATULATING HONORABLE J. FOY GUIN, JR., ON HAVING BEEN APPOINTED U. S. DISTRICT JUDGE.

WHEREAS, Honorable J. Foy Guin, Jr., has recently been appointed U. S. District Judge for the Northern District of Alabama, having been sworn in on April 18, 1973; and

WHEREAS, Judge Guin is eminently qualified to hold this high office, with a distinguished career as a trial lawyer for 25 years; and

WHEREAS, JUDGE GUIN is one of the leading citizens of Russellville, and was named "Citizen of the Year" by the civic clubs of his native town; and

WHEREAS, The members of this body are pleased to note that a good country lawyer has made it to the Federal bench; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That this body congratulates

EXTRAORDINARY SESSION
12th Day

57

Honorable J. Foy Guin, Jr., on the high honor which he so eminently deserves, and wishes for him every success in his career as Federal Judge.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Judge Guin.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Nettles, the rules were suspended and the House concurred in and adopted the S. J. R. 6 set out in the above and foregoing Message from the Senate.

RECESS

Mr. McCorquodale moved that the House recess until 7:30 o'clock p. m.

The substitute motion of Mr. Waldrop that the House recess until 10:00 o'clock p. m. was withdrawn.

The question was then on the motion of Mr. McCorquodale that the House recess until 7:30 o'clock p. m., and the motion was adopted.

HOUSE RECONVENED

The hour of 7:30 o'clock p. m. having arrived, the House reconvened and the Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 1. RESOLUTION ON THE RETIREMENT OF MISS MITTIE MILLER.

Also:

S. J. R. 4. Sharing in Senator Melton's thanksgiving for his mother's recovery.

Also:

S. J. R. 6. CONGRATULATING HONORABLE J. FOY GUIN, JR., ON HAVING BEEN APPOINTED U. S. DISTRICT JUDGE.

Also:

S. J. R. 10. THANKING THE ETOWAH COUNTY LEGISLATIVE DELEGATION AND CERTAIN ORGANIZATIONS FOR THEIR HOSPITALITY.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1. To regulate further the number, manner of appointment, compensation, duties and term of service of certain legislative subordinate officers and employees, and for such purpose to amend Code of Alabama 1940, Title 32, Section 22, and to amend further Sections 13, 18, 19, 20, 24, 25 and 26 of said title, as heretofore amended; and providing retroactive effect.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Cauthen offered the motion that the House non-concur in the Senate amendment to the bill, H. 1, and request a Committee on Conference with instruction, said Senate amendment being as follows:

Amend Section 1 by adding the following un-numbered paragraph immediately after the first paragraph of Section 1 and before Subsection (a) of Section 1. "The Administrative Committees hereby authorized may be recalled at any time by a majority vote of the membership of the house in which the Committee is elected and following such recall a new Committee shall be constituted in the same manner as hereinabove provided."

Amend House Bill 1 by inserting after the words "presiding officer of the respective house" in the second sentence of Section 1 the following: Provided, however, that said employees shall be in addition to those authorized for the Senate under Section 5. (a), (1), and shall be not more than six.

Further amend House Bill 1 by inserting at the end of Section 6. (a) after the words "full-time employees;" the following: and also in addition to those employees assigned to the offices of the presiding officer of the respective house.

Amend subsection (b) of Section 5 as follows:

"(b) The compensation of full-time legislative employees shall be not more than the amount hereinafter prescribed, payable as the salaries of other state employees are paid. The exact amount of the compensation for each such category of employees shall be fixed by the Administrative Committees with the advice of the Secretary of the Senate and the Clerk of the House of Representatives with respect to their respective employees. Such compensation shall be as follows:

Supervisory employees not more than bi-weekly	\$364.00
Secretarial employees not more than bi-weekly	\$350.00

EXTRAORDINARY SESSION
12th Day

59

General employees not more than bi-weekly	\$266.00
Custodial employees not more than bi-weekly	\$210.00

Provided however that nothing herein shall prevent the fixing of differing rates of compensation for individual employees within the same classification."

Further amend Section 5 by striking sub-section (c) in its entirety.

Amend Section 5 by adding thereto the following after Subsection (b):

(c) The Administrative Committees are authorized to employ an Administrative Assistant for the Presiding Officer of the respective houses, at a salary not to exceed \$12,000.00 per annum, and such Administrative Assistant shall be designated by the Presiding Officer to whom he is to be an assistant.

SYNOPSIS: This Bill provides for the creation of Committees within each house of the Legislature to be entitled Administrative Committees. Such Committees shall have the authority to employ all Legislative employees and to prescribe and designate work areas for all such employees and specific areas of Legislative activity including the offices of the Presiding Officers of each house; this bill also authorizes such committees to prescribe the expense allowance for the presiding officer of each house; such bill also fixes the maximum permissible number of legislative employees and the maximum rates of compensation.

A BILL
TO BE ENTITLED
AN ACT

To provide for the creation of Committees within each house of the Legislature to be entitled Administrative Committees. Such Committees shall have the authority to employ all legislative employees and to prescribe and designate work areas for all such employees and specific areas of legislative activity including the offices of the Presiding Officers of each house; this bill also authorizes such committees to prescribe the expense allowance for the presiding officer of each house; and to fix the maximum maximum permissible number of legislative employees and the maximum permissible rates of compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created in each house an Administrative Committee which shall consist of five members elected by secret ballot in each house respectively. Each such committee, with the advice of the Secretary of the Senate or the Clerk of the House of Representatives with respect to the employees of their respective houses shall employ all legislative employees, except pages, and shall fix the exact number of employees who may be employed in each category of employment and the exact amount of each legislative employee classification compensation, in the event the exact amount thereof is not herein otherwise prescribed, and in addition, such committee within each house shall be authorized to assign legislative employees to specific work areas, including the office of the presiding officer of the respective house. The said committees shall also be authorized to fix an expense allowance in such an amount and payable upon such terms as it may determine to be reasonable and appropriate to the presiding officer of each house. Following their employment by the Administrative Com-

mittee, all legislative employees shall be under the control and supervision of the Secretary of the Senate as to Senate employees and the Clerk of the House as to the employees of the House of Representatives.

(a) Senate pages shall be selected or appointed as may be provided by resolution by the Senate, and House pages shall be appointed by the Speaker of the House.

(b) In the selection of the employees of the legislature, there shall be no discrimination on account of sex, race, creed, or color.

(c) Such committees shall be elected within five days after passage and approval of this Act or its otherwise becoming law, and thereafter at the Organizational Session of the quadrennium beginning in 1975, and each quadrennium session thereafter.

Section 2. In addition to legislative employees to be employed by the Administrative Committee,

(a) The chairman of the Finance and Taxation Committee of the Senate and the chairman of the Ways and Means Committee of the House shall each be authorized to employ one full-time secretary for such committee, at a rate of compensation not to exceed \$12,000 per annum, payable as other state employees are paid, and two clerks while the legislature is in session at a rate of compensation not to exceed \$21.00 per day.

(b) The chairman of the Finance and Taxation Committee of the Senate and the chairman of the Ways and Means Committee of the House shall jointly and with the concurrence of them both, employ a fiscal consultant or statistician to serve such committees; and he shall be paid in an amount that shall be determined to be reasonable and proper and not to exceed \$18,500.00 per annum, payable as other state employees are paid, by the concurrence of the chairmen of these two committees. In addition and while the legislative is in session, such consultant shall be furnished one assistant to be selected by the said chairman who shall also set the rate of compensation of such assistant at not to exceed \$23.00 per day.

Section 3. (Legislative Subordinate Officers) The subordinate officers of the legislature shall consist of the Secretary of the Senate, Clerk of the House of Representatives, Assistant Secretary of the Senate, and Assistant Clerk of the House of Representatives. The Secretary of the Senate and the Clerk of the House of Representatives shall be full-time employees, elected as provided by Law and compensated as hereinafter provided.

The Assistant Secretary of the Senate and the Assistant Clerk of the House of Representatives shall serve only while the legislature is in session. The Assistant Secretary of the Senate shall be appointed by the Secretary of the Senate, with the approval of the President Pro Tem of the Senate; the Assistant Clerk of the House of Representatives shall be appointed by the Clerk, subject to approval of the Speaker. Each shall be compensated as hereinafter provided; provided, nothing herein shall prohibit the Assistant Secretary of the Senate or Assistant Clerk of the House of Representatives from being employed as a legislative employee when the legislature is not in session.

(a) The compensation of the Secretary of the Senate and the Clerk of the House of Representatives shall be \$16,152.00 per annum, payable as the salaries of other state officers or employees are paid.

(b) The compensation of the Assistant Secretary of the Senate and the Assistant Clerk of the House of Representatives shall be \$23.00 per

12th Day

day while the legislature is in session payable as the salaries of other state officers or employees are paid.

Section 4. (Legislative Employees) There may be employed for the legislature such assistants as are reasonably necessary, and as are hereinafter authorized.

(a) There may be employed by the Secretary of the Senate and the Clerk of the House of Representatives, each, one chief clerk who shall be full-time employee, and who shall be responsible for assisting the Secretary of the Senate and the Clerk of the House of Representatives, respectively, with the general administration of their respective offices. The salary of each such employee shall be not more than \$12,592.00 per annum, payable as the salaries of other state employees are paid.

(b) The following classes of legislative employees, in the numbers hereinafter authorized may be employed:

- (1) Supervisory employees
- (2) Secretarial employees
- (3) General employees
- (4) Doorkeepers and gallery doorkeepers
- (5) Custodial employees
- (6) Pages

Section 5. (a) There may be employed on a full-time basis, and subject to regulation by the Administrative Committees as to the exact number, not more than the following legislative employees:

- (1) For the Senate:
2 Supervisory employees;
8 Secretarial employees;
General employees;
3 Custodial employees.
- (2) For the House of Representatives:
3 Supervisory employees;
12 Secretarial employees;
General employees;
3 Custodial employees.

(b) The compensation of full-time legislative employees shall be not more than the amount hereinafter prescribed, payable as the salaries of other state employees are paid. The exact amount of the compensation for each such category of employees shall be fixed by the Administrative Committees with the advice of the Secretary of the Senate and the Clerk of the House of Representatives with respect to their respective employees. Such compensation shall be as follows:

Supervisory employees not more than bi-weekly	\$364.00
Secretarial employees not more than bi-weekly	\$322.00

General employees not more than bi-weekly	\$266.00
Custodial employees not more than bi-weekly	\$210.00

Provided however that nothing herein shall prevent the fixing of differing rates of compensation for individual employees within the same classification.

(c) The Administrative Committees are authorized to employ an Administrative Assistant for the Presiding Officer of the respective houses, at a salary not to exceed \$12,000.00 per annum, and such Administrative Assistant shall be designated by the Presiding Officer to whom he is to be an assistant.

Section 6. (a) While the legislature is in session, and subject to regulation by the Administrative Committees as to the exact number, there may be employed not more than the following personnel, in addition to the above described full-time employees:

(1) For the Senate:

7 Supervisory employees;
45 Secretarial employees;
12 General employees;
3 Doorkeepers;
3 Custodial employees;
16 Pages.

(2) For the House of Representatives:

8 Supervisory employees;
70 Secretarial employees;
27 General employees;
6 Doorkeepers;
3 Custodial employees;
30 Pages.

(b) The compensation of employees who are employed while the legislature is in session shall be not more than the amount hereinafter prescribed, payable as the salaries of other state employees are paid. The exact amount of the compensation for each category of employees shall be fixed by the Administrative Committee with the advice of the Secretary of the Senate and the Clerk of the House of Representatives with respect to their respective employees. Such compensation shall be as follows:

Supervisory employees not more than per day;	\$26.00
Secretarial employees not more than per day;	\$23.00
General employees not more than per day;	\$19.00

EXTRAORDINARY SESSION
12th Day

63

Doorkeepers not more than per day;	\$16.00
Custodial employees not more than per day;	\$20.00
Pages not more than per day;	\$ 7.50

Provided, however, that nothing herein shall prevent the fixing of differing rates of compensation for individual employees within the same classification.

(c) The Secretary of the Senate and the Clerk of the House of Representatives are authorized to retain for a period not to exceed six weeks following the close of a Regular or Special Session of the legislature such employees as are required for the purpose of checking, comparing, completing and filing the journals of their respective houses in the office of the Secretary of State; but the total number of employees so retained after a session ceases shall not exceed 24 employees for the Senate and 24 employees for the House of Representatives, including the full-time employees of each house who may also be engaged in such work.

(d) Until such time as the Administrative Committee shall be elected and fix the exact number of employees which may be employed and their exact rate of compensation, the number of authorized employees and their rate or rates of compensation shall be that previously fixed by legislative act or resolution as of May 1, 1973.

Section 7. The number and compensation hereinabove provided for the subordinate officers and employees of the legislature shall be in lieu of all other compensation and expense allowances heretofore prescribed by law for such officers and employees.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws and parts of laws, including any and all provisions in Code of Alabama 1940, Title 32, as amended or supplemented, which conflict herewith are hereby repealed; however, nothing herein shall be construed to repeal any provisions of Section 27, 28, 29 or 30 of said Title 32.

Section 10. This Act shall have effect on and after May 1, 1973.

SUBSTITUTE MOTION ADOPTED

Mr. Hardin offered the substitute motion that the House non-concur in the Senate amendment to the bill, H. 1, and request a Committee on Conference without instruction, and the substitute motion was adopted.

**HOUSE RESOLVES ITSELF INTO COMMITTEE OF
THE WHOLE HOUSE**

Mr. McCorquodale offered the motion that the House of Representatives resolve itself into a Committee of the Whole House.

The motion of Mr. Cauthen to table the motion of Mr. McCorquodale was lost.

Yeas 32; Nays 55.

Yeas:

Messrs.:	Downing	Jones (F)	Slate
Adams	Ellis	Lang	Smith (K)
Benton	Erdreich	McCluskey	Taylor
Carter	Falkenburg	Manley	Waldrop
Casey	Gafford	Mathews	Warren
Cauthen	Goodwin	Meeks	Weeks
Cottingham	Hale	Nettles	Williams
Crawford	Jones (E)	Reid (R)	Wood
Cross			

—32

Nays:

Mr. Speaker	Dill	King	St. John
Adwell	Doss	Kinsey	Smith (P)
Agee	Drake	Lutz	Snell
Bank	Easters	McBride	Stewart
Barkett	Edwards	McCorquodale	Stokes
Bowers	Fite	McDonald	Stubbs
Burgess	Flippo	Merrill	Therrell
Carnes	Grainger	Mims	Turner
Chesnut	Grey (D)	Naramore	Turnham
Collins	Hardin	Owens	Waggoner
Connell	Harris	Parker	Wallace
Coshatt	Headley	Reynolds	Wise
Crowe	Hill	Roberts	Wynot
Culver	Hobbie	Robertson	

—55

The question was then on the motion of Mr. McCorquodale that the House of Representatives resolve itself into a Committee of the Whole House, and the motion was adopted.

The Speaker of the House named Honorable Philip H. Smith, Representative from Talladega County, as Chairman of the Committee of the Whole House.

The House was called to order by Mr. Smith (P), Chairman of the Committee of the Whole House.

HOUSE DISCHARGES COMMITTEE OF THE WHOLE HOUSE

After deliberation and on motion of Mr. Flippo, the House discharged the Committee of the Whole House.

CONFERENCE COMMITTEE APPOINTEES

Pursuant to the motion of Mr. Hardin for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 1, the Speaker of the House named as the appointees on the part of the House, Messrs. McCorquodale, Cauthen and Hardin.

RECESS

The Speaker declared an informal recess.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

EXTRAORDINARY SESSION
12th Day

65

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 1. To regulate further the number, manner of appointment, compensation, duties and term of service of certain legislative subordinate officers and employees, and for such purpose to amend Code of Alabama 1940, Title 32, Section 22, and to amend further Sections 13, 18, 19, 20, 24, 25 and 26 of said title, as heretofore amended; and providing retroactive effect.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. O'Bannon, Foshee and Littleton.

McDOWELL LEE,
Secretary.

REPORT OF CONFERENCE COMMITTEE

We, the committee of conference appointed to reconcile the differences between the two houses concerning the Bill, HB 1, have met and considered the matter referred and beg leave to report as follows:

Amend substitute for HB 1 in the Synopsis by deleting the following: "this bill also authorizes such committees to prescribe the expense allowance for the presiding officer of each house;

Further amend substitute for HB 1 in the title by deleting after the words "Presiding Officers of each house" the following: "this bill also authorizes such committees to prescribe the expense allowance for the presiding officer of each house;"

Further amend in Section 1 in the first sentence by deleting the words "by secret ballot".

Further amend in Section 1 by striking the following sentence in its entirety: "The said committees shall also be authorized to fix an expense allowance in such an amount and payable upon such terms as it may determine to be reasonable and appropriate to the presiding officer of each house."

Joe E. McCorquodale, Jr.

W. E. Hardin

Conferees on the part of the House

Obie J. Littleton

E. C. Foshie

Stuart O'Bannon, Jr.

Conferees on the part of the Senate

Mr. McCorquodale offered the motion that the House concur in and adopt the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 1, said report being set out in the above and foregoing Report of the Committee on Conference.

Mr. Cauthen offered the substitute motion that the House non-concur in the Report of the Committee on Conference.

Mr. Smith (P) offered an amendment to the substitute motion of Mr. Cauthen that the House non-concur in the Report of the Committee on Conference and request a new Committee on Conference, and the amendment was adopted.

The question was then on the substitute motion of Mr. Cauthen as amended, and the substitute motion was adopted.

CONFERENCE COMMITTEE APPOINTEES

The Speaker of the House named as the Committee on Conference on the part of the House, Messrs. McDonald, Doss and Owens.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twelfth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the twelfth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twelfth legislative day was approved.

HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA SPECIAL SESSION 1973

LOBBYIST REGISTRATION PURSUANT TO HOUSE RULES 62 AND 63

Name	Name of Firm
1. W. Douglas Amos	Alabama Savings and Loan League
2. J. Knox Argo	Alabama Savings and Loan League
3. Edgar R. Armagost	Alabama Concrete Industries Assn.
4. Richard H. Arrington	Southern Railway Company
5. George F. Bailey, Jr.	Alabama Railroad Association
6. Gary Jay Beers	Alabama Education Study Commis- sion
7. James M. Bell	Sears, Roebuck & Company
8. Mack B. Binion	Medical Association, State of Ala- bama
9. Thelma Braswell	Alabama Education Association
10. B. G. Bryant	Fraternal Order of Police
11. Jerry C. Byars	H. S. Drummond Coal Company

12th Day

12. James W. Cameron Council for the Assn. of Private
Colleges in Alabama
Alabama Fire Fighters Pension Fund
Alabama Wholesale Beer Distribu-
tors
13. Earnest H. Cantrell Fraternal Order of Police
14. John H. Castle Mobile Gas Service Corporation
15. John W. Cloud Alabama Peace Officers Assn.
16. Charles D. Cole Judicial Conference, Study Com-
mission
17. J. Hilary Cox, Jr. Alabama State Nurses' Association
Alabama Jaycees
18. Edward E. Craig Jefferson County Citizens Commit-
tee
19. Rudolph Davidson University of Alabama in Birming-
ham
20. Joe M. Dawkins Alabama Education Study Commis-
sion
21. Joseph C. Dowdle University of Alabama in Huntsville
22. Milton R. Durrett Multiple Association Management
Service
23. Tom Eden Alabama Textile Manufacturers
Assn.
24. Joe W. Graham Alabama Forestry Association
25. Annie Laurie Gunter Office of Consumer Protection
26. Philip G. Hallam Alabama Wholesale Beer Distribu-
tors
27. Drayton N. Hamilton City of Montgomery
Alabama League of Municipalities
American Reciprocal Insurance
Assn.
Automotive Wholesaler's Associa-
tion of Alabama
Catrala of Alabama, Inc.
28. Reginald T. Hamner Alabama State Bar Association
29. Rubin Morris Hanan Alabama League of Aging Citizens
30. T. Ross Harper Alabama Bar & Tavern Owners
Assn.
31. Frank H. Hawthorne Alabama Power Company
32. Melvin B. Hicks Steelworkers Legislative Committee
33. Jack Higginbotham United Steelworkers of America
34. John E. Horne Alabama Rural Electric Association
35. William Mike House Permanent Study Commission

36. Paul R. Hubbert Alabama Education Association
37. George E. Hutchinson Alabama Nursing Home Association
38. James Jackson Fraternal Order of Police
39. Vreeland G. Johnson State Fraternal Order of Police
40. Wallace E. Johnson Communications Workers of America
41. Genai R. Jones Office of Consumer Protection
42. Jane L. Katz League of Women Voters of Alabama
43. R. G. Kendall, Jr. Alabama Railroad Association
44. Leon R. Lamberth Multiple Association Management Service
45. Riley L. Lewis, Jr. The Western Hill Trade Assn., Inc.
46. B. J. Lumpkin Alabama Fire Fighters Pension Fund Association
47. Jimmie Mabrey Steelworkers Legislative Committee
48. Lonnie E. Martin Alabama Association of Realtors
49. Albert C. Mauk Brotherhood of Maintenance of Way Employees
50. Samuel L. Maury U. S. Steel Corporation
51. Tom McGregor Alabama Gas Corporation
52. P. S. McDaniel Alabama Women's Political Caucus
53. Charles McDonald Alabama Retail Association
54. Ruby Middleton Alabama State Chiropractic Association
55. John W. Miller Home Builders Association of Alabama
56. Wendell W. Mitchell Alabama Bankers Association
57. L. C. Moore Sears, Roebuck and Company
58. Bob Morgan Fraternal Order of Police
59. Gilbert Mobley Associated Industries of Alabama
60. William B. Moore, Jr. American Insurance Association
61. Billy R. Morris Steelworkers Legislative Commission
62. Joe B. Norman Local Self Government-Jefferson County
63. M. V. Parsons Alabama Farm Bureau Federation
64. L. P. Patterson Medical Association, State of Alabama
65. T. L. Payne Alabama Department of Public Safety
Alabama Peace Officers Association

EXTRAORDINARY SESSION
12th Day

69

- | | | |
|-----|--------------------------------|--|
| 66. | Joy Ann Perry | Pawnee Construction Company |
| 67. | John Curtis Poe | Fraternal Order of Police |
| 68. | W. C. Rawls | Communications Workers of America |
| 69. | H. Gerald Reynolds | Jim Walter Corporation
U. S. Pipe |
| 70. | William A. Roberts | Alabama Department of Labor |
| 71. | Joseph G. Robertson | Alabama Society of C. P. A.'s |
| 72. | Price E. Robinson | Firefighter's Association |
| 73. | Joyce B. Rodgers | Alabama Dental Association |
| 74. | Henry T. Rogers | Alabama Mining Institute |
| 75. | F. B. Ruffer | Alabama Asphalt Pavement Assn. |
| 76. | Robert J. Russell | John Deere Co., Inc.
Alabama Association of Insurance Agents
Associated General Contractors of America |
| 77. | Oscar H. Sharpless, III | Association of County Commissions of Alabama |
| 78. | L. L. Shertzer, Jr. | Alabama Road Builders' Assn. |
| 79. | Grady G. Simpson | State Law Enforcement Association |
| 80. | Stanley M. Slater | Alabama Gas Corporation |
| 81. | Don R. Slatton | Home Builders Association of Alabama |
| 82. | Walter J. Smith | Department of Public Safety |
| 83. | Curtis H. Springer | Alabama Dairy Products Association |
| 84. | Theodore M. Stansell | Judicial Conference |
| 85. | Winston Stewart | Association of County Commissions of Alabama |
| 86. | Leslie Stifflemire | Alabama Legislative Board UTU |
| 87. | Harold E. Streetman | Automobile Dealers Association of Alabama, Inc. |
| 88. | F. E. Swann | Alabama Firefighters Pension Fund Association |
| 89. | Howard O. Tedford | Mining Laws |
| 90. | Frank L. Thiemonge, Jr. | Alabama Safety Council, Inc. |
| 91. | Richard Thigpen | University of Alabama |
| 92. | William A. Thompson | City of Birmingham |
| 93. | Fran Treadway | Jefferson County Township or cities |
| 94. | Kenneth W. Underwood, Jr. | South Central Bell Telephone Company |

LEGISLATIVE DAYS

EXTRAORDINARY SESSION 1973

<i>Legislative Days—Calendar Days</i>	<i>Page</i>
FIRST LEGISLATIVE DAY—Wednesday, May 2	3
SECOND LEGISLATIVE DAY—Thursday, May 3	6
THIRD LEGISLATIVE DAY—Friday, May 4.....	10
FOURTH LEGISLATIVE DAY, Saturday, May 5	31
Informal Recess	
FIFTH LEGISLATIVE DAY, Sunday, May 6	31
Informal Recess	
SIXTH LEGISLATIVE DAY—Monday, May 7	31
Informal Recess	
SEVENTH LEGISLATIVE DAY—Tuesday, May 8	31
Informal Recess	
EIGHTH LEGISLATIVE DAY—Wednesday, May 9	32
NINTH LEGISLATIVE DAY, Thursday, May 10	34
TENTH LEGISLATIVE DAY—Tuesday, May 15	44
ELEVENTH LEGISLATIVE DAY—Wednesday, May 16	51
TWELFTH LEGISLATIVE DAY—Thursday, May 17...SINE DIE...	53

HOUSE OF REPRESENTATIVES

EXTRAORDINARY SESSION 1973

ALPHABETICAL ROSTER AND DISTRICT

Charles H. Adams, 32	J. Earl Jones, 14
Robert G. Adwell, 14	Bill G. King, 3
Grover Lamar Agee, 33	Daniel L. Kinsey, 38
Bert Bank, 18	William H. Lang, 17
Fred Barkett, 42	Hartwell B. Lutz, 3
Bishop N. Barron, 35	G. Sage Lyons, 37
L. Gardner Bassett, 36	Richard L. McBride, 14
Thomas H. Benton, 38	Murray P. McCluskey, 20
Hugh Boles, 14	Joe C. McCorquodale, Jr., 33
Drake Boutwell, 14	Sid McDonald, 7
Quinton R. Bowers, 14	George D. H. McMillan, Jr., 14
Bowen Brassell, 32	Chris McNair, 14
Ray Burgess, 16	Richard S. Manley, 27
H. L. Callahan, 37	Charles "Pete" Mathews, 21
D. B. (Dave) Carnes, 11	Philip T. May, 39
Tommy Carter, 2	J. Paul Meeks, Jr., 14
John S. Casey, 22	Hugh D. Merrill, 16
David B. Cauthen, 6	Maston Mims, 34
Clarence Chesnut, Jr., 8	Alvis Naramore, 13
W. M. (Monty) Collins, 37	Bert Nettles, 37
B. W. Connell, 43	H. H. (Runt) O'Daniel, 30
Roy H. (Doc) Coshatt, 15	Walter Owens, 23
Paul C. Cottingham, 28	Tim Parker, 18
Buddy Crawford, 43	Mayer W. (Mike) Perloff, 37
Wayland Cross, 2	Leroy R. Porter, 8
Robert Crowe, 13	Ira D. Pruitt, 27
John L. Culver, 18	Thomas J. Reed, 31
Richard F. Dill, 14	Ralph Reid, 10
Chriss H. Doss, 14	Glen A. Reynolds, 5
Maurice A. "Casey" Downing, 37	Bill Roberts, 37
Tom Drake, 7	Edward D. Robertson, 18
Douglas Easters, 41	Finis St. John, III, 7
William D. Edwards, 29	Ralph E. Slate, 6
Robert L. Ellis, Jr., 14	Kirby Smith, 25
Ben L. Erdreich, 14	Philip H. Smith, 20
Francis Falkenburg, 14	Charles Snell, 26
Rankin Fite, 9	Donald W. Stewart, 16
Ronnie G. Flipppo, 1	Ben Stokes, 37
Robert C. "Bob" Gafford, 14	Tom Stubbs, 19
J. W. "Joe" Goodwin, 5	Sam Taylor, 35
Charles Grainger, 3	Charles C. Therrell, 37
Fred D. Gray, 31	Robert D. "Bobby" Timmons, 14
D. C. Grey, 12	W. Milam Turner, Jr., 28
Douglas V. Hale, 3	Pete Turnham, 32
W. E. "Gene" Hardin, Jr., 36	James T. Waggoner, Jr., 14
James D. Harris, Jr., 35	Gerald Wayne Waldrop, 11
Lewis W. Headley, 24	Wace Wallace, 14
Glenn H. Hearn, 3	James E. Warren, 34
Robert M. Hill, Jr., 1	Raymond Weeks, 14
Walker Hobbie, Jr., 35	Bill Williams, 4
J. C. Hughes, 14	Harold B. Wise, 40
Frank Jackson, 40	James C. (Jim) Wood, 37
Fred R. Jones, 35	Retha Deal Wynot, 11

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA

EXTRAORDINARY SESSION 1973

OFFICERS

G. SAGE LYONS, *Speaker*, Mobile

JOE C. McCORQUODALE, JR., *Speaker Pro-Tem*, Jackson

JOHN W. PEMBERTON, *Clerk*, Montgomery

THOMAS J. BRYAN, *Assistant Clerk*, Auburn

RICHARD C. WHITAKER, *Reading Clerk*, Montgomery

MEMBERS OF THE HOUSE

Dist. No.	Counties	Name	Address
1	LAUDERDALE		
	Place No. 1		
	Ronnie G. Flippo	P. O. Box 1221, Florence	35630
	Place No. 2		
	Robert M. (Bob) Hill, Jr.	P. O. Box 933, Florence	35630
2	LIMESTONE & LAWRENCE		
	Place No. 1		
	Tommy Carter	Rt. 2, Elkmont	35620
	Place No. 2		
	Wayland Cross	Box 40, Courtland	35618
3	MADISON		
	Place No. 1		
	Hartwell B. Lutz	972 State Nat'l. Bk. Bldg., Huntsville	35801
	Place No. 2		
	Charles Grainger	1711 Laverne Dr., N. W., Huntsville	35805
	Place No. 3		
	Bill G. King	P. O. Box 382, Huntsville	35804
	Place No. 4		
	Glenn H. Hearn	Rt. 1, Gurley	35748
	Place No. 5		
	Douglas V. Hale	2105 Clubview Court N. W., Huntsville	35810
4	JACKSON		
	Bill Williams	Rt. 1, Box 63, Hollywood	35752
5	COLBERT & FRANKLIN		
	Place No. 1		
	J. W. (Joe) Goodwin	310 Ford Rd., Muscle Shoals	35660
	Place No. 2		
	Glen A. Reynolds	Rt. 3, Tuscumbia	35674

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 6 MORGAN**
 Place No. 1
 David B. Cauthen P. O. Box 1685, Decatur 35601
 Place No. 2
 Ralph E. Slate 1310 Plaza St., Decatur 35601
- 7 MARSHALL & CULLMAN**
 Place No. 1
 Finis E. St. John, III P. O. Drawer K, Cullman 35055
 Place No. 2
 Sid McDonald P. O. Box 546, Arab 35016
 Place No. 3
 Tom Drake P. O. Box 36, Cullman 35055
- 8 DeKALB & CHEROKEE**
 Place No. 1
 Leroy R. Porter Box 217, Crossville 35962
 Place No. 2
 Clarence Chesnut, Jr. P. O. Box 98, Gaylesville 35973
- 9 MARION & WINSTON**
 Rankin Fite P. O. Box 157, Hamilton 35570
- 10 BLOUNT**
 Ralph Reid 1301 Park Ave., Oneonta 35121
- 11 ETOWAH**
 Place No. 1
 Gerald Wayne Waldrop Route 10, Box 192 A, Gadsden 35901
 Place No. 2
 D. B. "Dave" Carnes 823 Forest Ave., Gadsden 35901
 Place No. 3
 Retha Deal Wynot 1120 Bellevue Dr., Gadsden 35901
- 12 LAMAR & FAYETTE**
 D. C. Grey P. O. Box 202, Berry 35546
- 13 WALKER**
 Place No. 1
 Alvis Naramore 5th Ave. S. 19th St., Jasper 35501
 Place No. 2
 Robert T. Crowe 2109 Gamble Ave., Jasper 35501
- 14 JEFFERSON**
 Place No. 1
 J. Paul Meeks, Jr. 3043 Weatherton Dr., Birmingham 35223
 Place No. 2
 James T. Waggoner, Jr. P. O. Box 10566, Birmingham 35202

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- Place No. 3
Robert L. "Bob" Ellis, Jr. Rt. 1, Box 509, Adamsville 35005
- Place No. 4
Ben L. Erdreich Suite 201, 409 North 21st St., Birmingham 35203
- Place No. 5
Richard F. Dill 328 Observatory Dr., Birmingham 35206
- Place No. 6
Robert D. "Bobby" Timmons P. O. Box 8302, Ensley Station,
Birmingham 35218
- Place No. 7
Robert G. Adwell 2127 Pine Lane, Birmingham 35226
- Place No. 8
Raymond Weeks 3420 Altamont Rd., Birmingham 35205
- Place No. 9
Chriss H. Doss 917 Frank Nelson Bldg., Birmingham 35203
- Place No. 10
Robert C. (Bob) Gafford 5345 Division Ave., Birmingham 35201
- Place No. 11
Wade Wallace 516 So. 73rd St., Birmingham 35212
- Place No. 12
Drake Boutwell 4461 Clairmont Ave., Birmingham 35222
- Place No. 13
Francis Falkenburg 3001 Argyle Road, Redmont Park,
Birmingham 35213
- Place No. 14
George D. H. McMillan, Jr. .. 1550 1st Nat'l-Southern Natural Bldg.,
Birmingham 35203
- Place No. 15
Quinton R. Bowers 1528 Shades Crest Road, Birmingham 35226
- Place No. 16
Richard L. McBride 3221 Ave. S, Apt. S, Birmingham 35208
- Place No. 17
J. Earl Jones 2022 Dartmouth Ave., Bessemer 35020
- Place No. 18
J. C. Hughes 601 N. 18th St., Bessemer 35020
- Place No. 19
Chris McNair P. O. Box 1851, Birmingham 35201
- Place No. 20
Hugh Boles 1036 Normandale Cir., Hueytown 35020
- 15 **ST. CLAIR**
Roy H. (Doc) Coshatt P. O. Box 766, Pell City 35125
- 16 **CALHOUN**
Place No. 1
Ray Burgess 501 E. 49th St., Anniston 36201
- Place No. 2
Hugh D. Merrill P. O. Box 1498, Anniston 36201
- Place No. 3
Donald W. Stewart 124 E. 10th St., Anniston 36201

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 17 **PICKENS & GREENE**
William H. Lang P. O. Box 426, Reform 35481
- 18 **TUSCALOOSA**
Place No. 1
John L. Culver Route 3, Box 166, Tuscaloosa 35401
Place No. 2
Edward D. Robertson P. O. Box 331, Northport 35476
Place No. 3
Tim Parker P. O. Box 72, Tuscaloosa 35401
Place No. 4
Bert Bank P. O. Box 2000, Tuscaloosa 35401
- 19 **SHELBY**
Tom Stubbs Rt. 1, Box 14, Helena 35080
- 20 **TALLADEGA**
Place No. 1
Murray P. McCluskey Box 599, Sylacauga 35150
Place No. 2
Philip H. (Phil) Smith P. O. Box 15, Talladega 35160
- 21 **CLAY & COOSA**
Charles (Pete) Mathews Box 355, Ashland 36251
- 22 **CLEBURNE & RANDOLPH**
John S. Casey P. O. Box 266, Heflin 36264
- 23 **HALE & BIBB**
Walter Owens 107 Court Square, West, Centreville 35042
- 24 **CHILTON**
Lewis W. Headley P. O. Box 471, Clanton 35045
- 25 **TALLAPOOSA**
Kirby Smith Rt. 1, Box 572, Dadeville 36853
- 26 **CHAMBERS**
Charles Snell P. O. Box 387, Fairfax 36854
- 27 **SUMTER, MARENGO & PERRY**
Place No. 1
Ira D. Pruitt P. O. Drawer PP, Livingston 35470
Place No. 2
Richard S. Manley Drawer U, Demopolis 36732
- 28 **DALLAS**
Place No. 1
Paul C. Cottingham Rt. 2, Box 276A, Selma 36701
Place No. 2
W. Milam Turner, Jr. 7 Mimosa St., Selma 36701

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 29 **AUTAUGA & LOWNDES**
William D. Edwards Rt. 1, Ft. Deposit 36032
- 30 **ELMORE**
H. H. (Runt) O'Daniel Box 416, Tallassee 36078
- 31 **MACON, BULLOCK & BARBOUR**
Place No. 1
Thomas J. Reed P. O. Drawer EE, Tuskegee Institute 36088
Place No. 2
Fred D. Gray P. O. Box 239, Tuskegee 36083
- 32 **LEE & RUSSELL**
Place No. 1
Bowen Brassell P. O. Box 573, Phenix City 36867
Place No. 2
Pete Turnham P. O. Box 1592, Auburn 36830
Place No. 3
Charles H. Adams P. O. Box 967, Phenix City 36867
- 33 **CHOCTAW, CLARKE & WASHINGTON**
Place No. 1
Grover Lamar Agee P. O. Box 250, Chatom 36518
Place No. 2
Joe C. McCorquodale, Jr. P. O. Box 535, Jackson 36545
- 34 **WILCOX, MONROE & CONECUH**
Place No. 1
Maston Mims Uriah 36480
Place No. 2
James E. Warren Box 207, Castleberry 36432
- 35 **MONTGOMERY**
Place No. 1
Sam W. Taylor 2429 Woodley Rd., Montgomery 36111
Place No. 2
James D. Harris, Jr. 1110 Union Bank Bldg., Montgomery 36104
Place No. 3
Walker Hobbie, Jr. Rt. 1, Box 384, Montgomery 36105
Place No. 4
Fred R. Jones 132 So. Perry St., Montgomery 36104
Place No. 5
Bishop N. Barron P. O. Box 221, Montgomery 36101
- 36 **BUTLER, CRENSHAW & PIKE**
Place No. 1
L. Gardner Bassett 206 Orange St., Troy 36081
Place No. 2
William E. (Gene) Hardin, Jr. P. O. Box 507, Greenville 36037

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

37 MOBILE

Place No. 1

James C. (Jim) Wood 1010 Van Antwerp Bldg., Mobile 36602

Place No. 2

Ben Stokes P. O. Box 293, Mobile 36601

Place No. 3

Mayer W. (Mike) Perloff 257 St. Anthony St., Mobile 36603

Place No. 4

Charles C. Therrell 203 No. Gould Ave., Whistler 36612

Place No. 5

H. L. Callahan P. O. Box 1208, Mobile 36601

Place No. 6

G. Sage Lyons P. O. Box 2727, Mobile 36601

Place No. 7

Bert Nettles P. O. Box 2232, Mobile 36601

Place No. 8

Maurice A. "Casey" Downing P. O. Box 4457, Mobile 36604

Place No. 9

W. M. (Monty) Collins P. O. Box 1411, Mobile 36601

Place No. 10

Bill Roberts 148 Tuscaloosa St., Mobile 36607

38 BALDWIN

Place No. 1

Daniel L. Kinsey P. O. Box 877, Foley 36535

Place No. 2

Thomas H. Benton Rt. 2, Box 185, Foley 36535

39 ESCAMBIA

Philip T. May P. O. Box 326, Brewton 36426

40 COVINGTON & GENEVA

Place No. 1

Frank Jackson Box 408, Opp 36467

Place No. 2

Harold B. Wise Rt. 2, Box 156, Kinston 36453

41 COFFEE

Douglas Easters 573 East Davis St., Elba 36323

42 DALE

Fred Barkett Box 430, Ozark 36360

43 HOUSTON & HENRY

Place No. 1

Buddy Crawford Columbia Road, Abbeville 36310

Place No. 2

B. W. Connell Rt. 5, Box 141, Dothan 36301

INDEX TO SPECIAL SESSION, 1973

ANDERSON, FRANK S.

Naming Wing B of Troy State University Alumni Hall for—
HJR 3, pages 8, 9, 42, 43

APPROPRIATIONS

Legislative employees, compensation of—
HB 1, pages 5, 8, 11, 58, 65

CLERK OF HOUSE: SEE HOUSE OF REPRESENTATIVES

CODE OF ALABAMA 1940 AMENDED

Title 32, Section 22, 13, 18, 19, 20, 24, 25, 26, relating to legislative
employees, compensation, appointment and number of—
HB 1, pages 5, 8, 11, 58, 65

ELECTIONS

Legislative reapportionment, relating to—
HB 2, pages 5, 9, 12, 35, 42, 43, 46, 50, 51
HB 3 page 31

EMPLOYEES: SEE LEGISLATIVE EMPLOYEES

GOVERNOR

Message from, Exec. Amdt. HB 2—
page 45

Notified that the Legislature is in Session—
HJR 2, pages 5, 7, 11, 43

HOUSE OF REPRESENTATIVES

Clerk, Trust Officer, designated as—
HR 4, page 41

LEGISLATIVE EMPLOYEES

Compensation, number, and appointment of—
HB 1, pages 5, 8, 11, 58, 65

Trust Fund, by donations of Members of the House to pay said
employees—
HR 4, page 41

LEGISLATURE

Employees of, number, appointment, and compensation, further
regulating—
HB 1, pages 5, 8, 11, 58, 65

LOBBYISTS

List of—
page 66

PARKER, HORACE W.

Resignation of—
page 34

PEMBERTON, JOHN

Trust officer, for Trust fund to pay clerks, designating—
HR 4, page 41

REAPPORTIONMENT

Legislative, relating to—
HB 2, pages 5, 9, 12, 35, 42, 43, 46, 50, 51
HB 3, page 31

RESIGNATION

Parker, Horace W.—
page 34

RESOLUTIONS

Adjourning—
HJR 5, pages 43, 55
Anderson, Frank S., naming Wing B of Troy State University
Alumni Hall for—
HJR 3, pages 8, 9, 42, 43
Governor, notified that Legislature is in Session—
HJR 2, pages 5, 7, 11, 43
Senate notified that the House is in Session—
HR 1, page 5
Trust Fund, by donations of Members of the House, creating—
HR 4, page 41
Wallace, George C., wishing total and speedy recovery, and com-
mending—
HJR 6, pages 47, 50, 52, 53

SENATE

Notified that the House is in Session—
HR 1, page 5

TROY STATE UNIVERSITY

Frank S. Anderson, Wing B, Alumni Hall, named for—
HJR 3, pages 8, 9, 42, 43

TRUST FUND

Donations of Members of the House for clerical employees pay,
creating—
HR 4, page 41

VOTING PRECINCT

Reapportionment, further dividing for purpose of—
HB 2, pages 5, 9, 12, 35, 42, 43, 46, 50, 51
HB 3, page 31

WALLACE, GEORGE C.

Wishing a total and speedy recovery and commending—
HJR 6, pages 47, 50, 52, 53

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OF THE
House of Representatives
OF THE
STATE OF ALABAMA
REGULAR SESSION
OF 1973

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, MAY 1, 1973



Vol. 1

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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
REGULAR SESSION OF 1973

FIRST DAY

Montgomery, Tuesday, May 1, 1973
State Capitol of Alabama

JOURNAL

of the House of Representatives of the State of Alabama, of the Regular Session of 1973, begun and held at the Capitol in the City of Montgomery, State of Alabama, on the first Tuesday in May, 1973, being the first day of the month in the Year of our Lord, One Thousand Nine Hundred and Seventy-Three, at 12 o'clock, M., on which day, the day fixed by law for the meeting of the Legislature of Alabama, was called to order by Honorable G. Sage Lyons, Speaker of the House of Representatives.

PRAYER

The session was open with prayer by Reverend John Vickers, Minister of Trinity United Methodist Church, Opelika, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cottingham	Hardin	Mims
Adams	Crawford	Harris	Naramore
Adwell	Cross	Headley	Nettles
Agee	Crowe	Hearn	O'Daniel
Bank	Culver	Hill	Owens
Barkett	Dill	Hobbie	Parker
Bassett	Doss	Jackson	Perloff
Benton	Downing	Jones (E)	Pruitt
Boles	Drake	Jones (F)	Reed (T)
Boutwell	Easters	King	Reid (R)
Bowers	Edwards	Kinsey	Reynolds
Brassell	Ellis	Lang	Roberts
Burgess	Erdreich	Lutz	Robertson
Callahan	Falkenburg	McBride	St. John
Carnes	Fite	McCluskey	Slate
Carter	Flippo	McCorquodale	Smith (K)
Casey	Gafford	McDonald	Smith (P)
Cauthen	Goodwin	Manley	Snell
Chesnut	Grainger	Mathews	Stewart
Collins	Gray (F)	May	Stokes
Connell	Grey (D)	Meeks	Stubbs
Coshatt	Hale	Merrill	

1st Day

Taylor	Turnham	Warren	Wise
Therrell	Waggoner	Weeks	Wood
Timmons	Waldrop	Williams	wynot
Turner	Wallace		

—101

A quorum was present.

RESIGNATIONS

The following resignations were received:

From Representative Tom Gloor, Speaker Pro Tempore of the House of Representatives, having been elected County Commissioner of Jefferson County on Tuesday, September 12, 1972.

From Representative John M. Baker, Representative of DeKalb and Cherokee Counties, having been elected to the Senate seat representing those Counties and also Jackson County vacated by Senator Kenneth Hammond.

ELECTION OF SPEAKER PRO TEMPORE

Mr. Flippo, of Lauderdale County, placed in nomination for Speaker Pro Tempore of the House, Honorable Joe C. McCorquodale of Clarke County, which was seconded by Mr. Chesnut of Cherokee County and Mr. Owens of Bibb County. The nominations were closed. Those who voted for Mr. McCorquodale are:

Messrs.:	Culver	Jones (E)	Reynolds
Adams	Dill	Jones (F)	Roberts
Adwell	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lang	Slate
Barkett	Easters	Lutz	Smith (K)
Bassett	Edwards	Lyons	Smith (P)
Benton	Ellis	McBride	Snell
Boles	Erdreich	McCluskey	Stewart
Boutwell	Falkenburg	McDonald	Stokes
Bowers	Fite	Manley	Stubbs
Brassell	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hobbie	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot
Crowe			

—100

Mr. McCorquodale, having received 100 of the votes cast, a majority of the House, was declared duly and constitutionally elected Speaker Pro Tempore of the House of Representatives for the remainder of the term vacated by Mr. Gloor.

COMMITTEE APPOINTED

The Speaker appointed Messrs. Flippo, Chesnut and Owens as a committee to escort Honorable McCorquodale for the oath of office.

Honorable McCorquodale appeared and the oath of office prescribed by the Constitution was administered to him by Honorable G. Sage Lyons, Speaker of the House.

READING CLERK APPOINTED

The Speaker announced the resignation of James W. Cameron as Reading Clerk, and the appointment of Richard C. Whitaker of Montgomery as Reading Clerk of the House of Representatives.

RESOLUTIONS

The following pre-filed resolutions were introduced:

By Mr. McCorquodale:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, that the Clerk of the House notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. R. 1, was adopted.

Also:

By Mr. McCorquodale:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, the Senate concurring, that a Committee of three members of the House, to be named by the Speaker of the House and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 2, was adopted.

COMMITTEE APPOINTED

And the Speaker appointed as a committee on the part of the House Messrs. Cottingham, Dill and Hearn.

RESOLUTION

The following pre-filed resolution was introduced:

By Mr. McCorquodale:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a joint session of the House and Senate be held at six-thirty o'clock today for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

BE IT FURTHER RESOLVED, that a Committee of three from the House, to be named by the Speaker of the House, and a Committee of two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 3, was adopted.

COMMITTEE APPOINTED

And the Speaker appointed as a committee on the part of the House Messrs. Hill, Naramore and Wynot.

RESOLUTIONS

The following pre-filed resolutions were introduced:

By Messrs. Doss, Adwell, Boles, Boutwell, Bowers, Dill, Ellis, Erdreich, Falkenburg, Gafford, Jones (E), McBride, Meeks, Timmons, Wallace, Weeks, Waggoner, Adams, Agee, Bank, Barkett, Bassett, Benton, Brasell, Burgess, Callahan, Carnes, Carter, Casey, Cauthen, Chesnut, Collins, Connell, Coshatt, Cottingham, Crawford, Cross, Crowe, Culver, Downing, Drake, Easters, Edwards, Fite, Flippo, Goodwin, Grainger, Gray (F), Grey (D), Hale, Hardin, Harris, Headley, Hearn, Hill, Hobbie, Jackson, Jones (F), King, Kinsey, Lang, Lutz, Lyons, McCluskey, McCorquodale, McDonald, Manley, Mathews, May, Merrill, Mims, Naramore, Nettles, O'Daniel, Owens, Parker, Perloff, Pruitt, Reed (T), Reid (R), Reynolds, Roberts, Robertson, St. John, Slate, Smith (K), Smith (P), Snell, Stewart, Stokes, Stubbs, Taylor, Therrell, Turner, Turnham, Waldrop, Warren, Williams, Wise, Woods and Wynot:

H. J. R. 4. MOURNING THE DEATH OF REPRESENTATIVE BEN CHERNER OF JEFFERSON COUNTY.

WHEREAS, the Legislature was shocked and saddened by the untimely death of our beloved colleague, Honorable Ben Cherner, State Representative from Jefferson County; and

WHEREAS, this gifted young man was a native of Bessemer and received his early education there, and built an enviable educational record while graduating from Samford University and the Wharton School of Business at the University of Pennsylvania; and

WHEREAS, Representative Cherner was a successful businessman and operated the Cherner Enterprises, Inc., doing business as the Jefferson Furniture Company with stores in Alabama, Georgia, and Tennessee, and was Chairman of the Board of Associated Furniture Stores; and

WHEREAS, Ben Cherner reflected the uncommon endowments of foresight, perseverance and capacity for intelligent leadership, which caused even those who disagreed with him to genuinely respect him, and among the many honors bestowed on him were his selection as Bessemer's "Outstanding Young Man" in 1965, the city's "Man of the Year" in 1966, and the Business and Professional Women's Club's "Outstanding Citizenship Award" in 1968; and

REGULAR SESSION
1st Day

7

WHEREAS, Representative Cherner was chosen by the Capital Press Corps in 1971 as the Hardest Working Member of the Alabama House; and

WHEREAS, Ben Cherner at the time of his demise was faithfully and effectively working for industrial park and airport development in the Bessemer Cut Off area of Jefferson County; and

WHEREAS, Representative Cherner, who was serving his second term in the Alabama House of Representatives, left his mark on the governmental affairs of this State as a leader throughout his legislative career in the passage of the automobile gasoline tax redistribution, bringing more than six and a half million dollars in additional revenue annually to Jefferson County; and as a leader in the passage of the reduction in the aviation gasoline tax, increasing air traffic in the State; and in strongly supporting legislation to control pornography and air pollution; and working for legislation to increase funds for education and to establish medicaid to aid the indigent; and as a leader in the congressional redistricting in 1971; and as a leader for sound financial policies and programs in state government of Alabama; and

WHEREAS, Representative Cherner served as a member of the House Standing Committee on Health and as a member of the House Standing Committee on Conservation; and

WHEREAS, Representative Cherner, as chairman of a subcommittee of the Permanent Joint Legislative Committee on Reapportionment, was using his sound judgment, calm reasoning and skillful direction to solve the problem of reapportionment, one of the major problems facing this State; and

WHEREAS, Representative Ben Cherner was Chairman of a Subcommittee of County Government of the Committee on Local Legislation No. 2 and rendered far reaching services to the employees and to the citizens of Jefferson County; and

WHEREAS, Ben Cherner was a gentle individual who demonstrated an unusual sensitivity and responsiveness to his colleagues and fellowmen, and whose youthful and progressive outlook, vivacity and warm personality endeared him to all who were fortunate enough to come in contact with him; and

WHEREAS, Ben Cherner was active in civic and fraternal interests which was attested to by his being a member of the Masonic Lodge Number 560, Ensley, Alabama; his being a singularly active member and officer of the Bessemer Lions Club; his being a member of the Fraternal Order of Eagles, Lodge Number 972, Pratt City; his being a member of the American Legion, and many other civic oriented groups; and

WHEREAS, Ben Cherner was a proud and conscientious Father and dedicated Husband; and

WHEREAS, his passing will leave a void in the governmental and civic affairs of his city, county and state; and he will be sorely missed by his host of friends in all walks of life and, particularly, those of Temple Emanu-El and Temple Beth-El; and the members of this legislative body, NOW, THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we pay a tribute of respect to the memory of Ben Cherner as a representative of that unique body of good

1st Day

men who dedicate their lives to public service, civic duty and to the general good of mankind; and that we extend this expression of our deepest sympathy to his wife, Barbara, and his children, Stacy, Jason and Rebecca, and to all the other members of his family.

On motion of Mr. Doss, the rules were suspended and the resolution, H. J. R. 4, was adopted.

The Speaker called for and led the House in one minute of silent prayer.

Also:

By Messrs. Jones (F), Taylor, Harris, Hobbie, Adams, Adwell, Agee, Bank, Barkett, Bassett, Benton, Boles, Boutwell, Bowers, Brassell, Burgess, Callahan, Carnes, Carter, Casey, Cauthen, Chesnut, Collins, Connell, Coshatt, Cottingham, Crawford, Cross, Crowe, Culver, Dill, Doss, Downing, Drake, Easters, Edwards, Ellis, Erdreich, Falkenburg, Fite, Flippo, Gafford, Goodwin, Grainger, Gray (F), Grey (D), Hale, Hardin, Headley, Hearn, Hill, Jackson, Jones (E), King, Kinsey, Lang, Lutz, Lyons, McBride, McCluskey, McCorquodale, McDonald, Manley, Mathews, May, Meeks, Merrill, Mims, Naramore, Nettles, O'Daniel, Owens, Parker, Perloff, Pruitt, Reed (T), Reed (R), Reynolds, Roberts, Robertson, St. John, Slate, Smith (K), Smith (P), Snell, Stewart, Stokes, Stubbs, Therrill, Timmons, Turner, Turnham, Waggoner, Waldrop, Wallace, Warren, Weeks, Williams, Wise, Wood and Wynot:

H. J. R. 5. MOURNING THE DEATH OF REPRESENTATIVE JAMES D. STRAITON.

WHEREAS this legislature is shocked and grieved by the recent tragic and untimely death, at the age of 36, of our outstanding colleague Representative James D. (Jim) Straiton of Montgomery; and

WHEREAS Representative Jim Straiton was a native of Ensley, a graduate of the University of Alabama Law School and served one year as a law clerk to Alabama Chief Justice J. Ed Livingston, prior to entering the private practice of law; and

WHEREAS his untimely death ended the promise of a bright political career, as during his short term of office he had worked with diligence using his keen mind and unswerving loyalty to serve his constituents and had contributed greatly in the efforts to provide a code of ethics for legislators; and

WHEREAS he exhibited throughout his life those admirable attributes of friendliness, devotion to duty and concern for his fellowman; and his enthusiasm for his work, his devoted services to his community, his wit and personal charm endeared him to all who knew him; and

WHEREAS he was a prominent and influential leader in the civil, social and religious life of his city; he was a member of the Oak Park Masonic Lodge; the Scottish Rite and Alcazar Shrine Temple; the Toastmasters and was an active United Appeal worker. He was an active member of the First Baptist Church of Montgomery where he sang in the choir and worked with the Royal Ambassadors, a youth group. Representative Straiton was also known in the community as a brilliant musician; and

WHEREAS Representative Jim Straiton has been taken from us to serve a greater purpose in life eternal; now therefore,

1st Day

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we pay tribute to the memory of our beloved colleague, Representative James D. (Jim) Straiton, as a member of that body of good men who dedicate their lives to the general good of mankind and that we extend our deepest sympathy to his wife and children on this occasion of their great loss.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to his widow, Mrs. Wanda Sue Straiton, and to his two children, James D. Straiton, Jr. and John Vernon Straiton.

On motion of Mr. Jones (F), the rules were suspended and the resolution, H. J. R. 5, was adopted.

The Speaker called for and led the House in one minute of silent prayer.

Also:

By Messrs. Downing, Lyons, Callahan, Stokes, Collins, Nettles, Roberts, Perloff, Therrell, Wood, Adams, Adwell, Agee, Bank, Barkett, Bassett, Benton, Boles, Boutwell, Bowers, Brassell, Burgess, Carnes, Carter, Casey, Cauthen, Chesnut, Connell, Coshatt, Cottingham, Crawford, Cross, Crowe, Culver, Dill, Doss, Drake, Easters, Edwards, Ellis, Erdreich, Falkenburg, Fite, Flippo, Gafford, Goodwin, Grainger, Gray (F), Grey (D), Hale, Hardin, Harris, Headley, Hearn, Hill, Hobbie, Jackson, Jones (E), Jones (F), King, Kinsey, Lang, Lutz, McBride, McCluskey, McCorquodale, McDonald, Manley, Mathews, May, Meeks, Merrill, Mims, Naramore, O'Daniel, Owens, Parker, Pruitt, Reed (T), Reid (R), Reynolds, Robertson, St. John, Slate, Smith (K), Smith (P), Snell, Stewart, Stubbs, Taylor, Timmons, Turner, Turnham, Waggoner, Waldrop, Wallace, Warren, Weeks, Williams, Wise and Wynot:

H. J. R. 6. KNOW ALL MEN BY THESE PRESENTS, that, WHEREAS, a great honor was bestowed on the State of Alabama when on July 15, 1924, Jeremiah A. Denton, Jr. was born to Jeremiah A. Denton and Irene Steele Denton in the City and County of Mobile, State of Alabama; and,

WHEREAS, young Jeremiah A. "Jerry" Denton, Jr. distinguished himself at an early age as a student at St. Mary's Catholic Elementary School and McGill High School in Mobile, Alabama; and,

WHEREAS, at McGill High School, he was Staff Editorial Writer for the McGillian, the School Paper, became Chairman of the Southwest District Alabama High School Press Association, was named outstanding student and scholar at McGill High for his outstanding, continual activities through four years which included the Dramatic Club, Glee Club, football, basketball, baseball, Confraternity of the Sacred Heart, and newspaper staff, and was voted President of his Senior Class; and,

WHEREAS, he attended Springhill College in the years 1942 and 1943 and was elected President of the Freshman Class; and,

WHEREAS, he was honored with an appointment to the United States Naval Academy at Annapolis, Maryland, and on June 5, 1947, he was graduated and commissioned an Ensign in the United States Navy; and,

1st Day

WHEREAS, on June 6, 1947, he married the beautiful and talented Jane Maury of Mobile, Alabama; and,

WHEREAS, he attended Naval Flight Training at Lakehurst, New Jersey, and was awarded his "gold wings" as a pilot at the Naval Air Base, Pensacola, Florida; and,

WHEREAS, he distinguished himself as a Naval Officer and as a Pilot and advanced to the rank of Captain when on July 18, 1965, while assigned to the Aircraft Carrier Independence and flying an A-6A Aircraft, he was shot down eighty miles from Hanoi, North Vietnam and was taken captive; and,

WHEREAS, although tortured, humiliated, deprived, and all but killed during his captivity, he maintained faith in God and love of Country; and,

WHEREAS, during these great trials and tribulations he was an inspiration to his fellow Prisoners of War, and when all would seem to no avail, he sang and prayed aloud so that the other prisoners could hear him and take heart; and,

WHEREAS, after seven and one-half years of this humiliating and degrading captivity, he was finally freed on February 12, 1973; and,

WHEREAS, Jeremiah A. "Jerry" Denton holds the following citations and ribbons: The Navy Expeditionary Medal (Cuba), American Campaign Medal, World War II Victory Medal, Navy Occupation Service Medal (Europe), National Defense Service Medal with bronze star, Armed Forces Expeditionary Medal (Cuba), Vietnam Service Medal with two silver stars and four bronze stars and the Republic of Vietnam Campaign Medal with device; and,

WHEREAS, after returning to freedom, he has been awarded the John Paul Jones Award by the Navy League of the United States and the National Exchange Club's Court of Honor Award; and,

WHEREAS, because of his great leadership, he has been promoted to Rear Admiral in the United States Navy; and,

WHEREAS, the Honorable George C. Wallace, Governor of Alabama, proclaimed April 27, 1973, as Admiral Jeremiah A. "Jerry" Denton Day; and,

WHEREAS, upon the release of all of the Prisoners of War held by the Hanoi Government under the Peace Treaty, he was in the first group to be flown to territory of the United States; and,

WHEREAS, he was chosen by his comrades to be the first POW to deplane at Clarke Air Force Base and to represent the other POWs in an international television broadcast; and,

WHEREAS, on February 12, 1973, he spoke so that all the world could see and hear him the following words, "We are honored to have the opportunity to serve our Country in difficult times God Bless America! !"

NOW, THEREFORE, BE IT RESOLVED by the Legislature of the State of Alabama, both Houses thereof concurring, that this Body is deeply and profoundly honored to have as a native son that great and patriotic citizen Rear Admiral Jeremiah A. "Jerry" Denton, Jr.; a man who has given of

1st Day

himself almost to the point of death for his Country; a man whose love for his Country is excelled only by his love of God; a man who has inspired a renewed faith and love of Country in all of us; a man who has made the light of the Great State of Alabama shine throughout the United States and all the world; a man who is respected, loved and admired by all Alabamians; a man whose leadership shall make our Country a better and safer place in which to live and rear our children; and a man who has made Alabama first in the hearts of its citizens.

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes and Journals of the Senate and House of Representatives and that a copy be sent to his mother, Irene Steele Denton, his wife, Jane Maury Denton, and children, Jeremiah A. Denton, III, Donald Denton, James Denton, William Denton, Michael Denton, Madeleine Denton and Mary Elizabeth Denton, and to Honorable Richard M. Nixon, President of the United States of America.

On motion of Mr. Downing, the rules were suspended and the resolution, H. J. R. 6, was adopted.

Also:

By Mr. Bowers:

H. J. R. 7. RATIFYING THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATING TO PROVIDING EQUAL RIGHTS TO WOMEN.

WHEREAS the 92 Congress of the United States of America at its first session, in both Houses, by a Constitutional majority of two-thirds thereof, adopted the following proposition to amend the Constitution of the United States of America in the following words, to wit:

“JOINT RESOLUTION

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the Legislatures of three-fourths of the several States within seven years from the date of submission by the Congress:

“ARTICLE

“Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

“Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

“Section 3. This amendment shall take effect two years after the date of ratification.”

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That:

1. The proposed amendment to the Constitution of the United States as herein shown be and the same is herein ratified.

2. Duly authenticated copies of this resolution shall be forwarded by the Clerk of the House to the Administrator of General Services, Washington, D. C. and to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States.

The resolution, H. J. R. 7, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Reed (T):

H. J. R. 8. EXPRESSING CONCERN IN REGARD TO THE DISEASE KNOWN AS SICKLE CELL ANEMIA WHICH PRIMARILY AFFECTS BLACK PEOPLE.

WHEREAS the disease known as sickle cell anemia primarily affects black people and is a fatal blood disease; and

WHEREAS it is estimated that 1 in every 400 black people have the disease and there is, to date, no known cure for this disease; and

WHEREAS only 12,000 of this state's 900,000 black people have been tested for the disease and of those tested approximately 10% have been discovered to have the trait of the disease; and

WHEREAS the black population of this state must be made more fully aware of this disease and the toll it takes among the younger people; and

WHEREAS the white community must be made aware of the terrible toll this disease takes of their fellow black citizens; and

WHEREAS the legislature would like to suggest Tuskegee Institute at Tuskegee, Alabama as a treatment center for this disease; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That all citizens of this state are encouraged to obtain facts in regard to sickle cell anemia and that all black citizens of this state are encouraged to have themselves and their children tested for this disease.

BE IT FURTHER RESOLVED, That we do suggest and encourage the establishment of a treatment center for sickle cell anemia at Tuskegee Institute.

BE IT FURTHER RESOLVED, That the Clerk of the House is directed to distribute copies of this resolution to the news wire services with the request that it be given wide publicity.

The resolution, H. J. R. 8, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Hardin:

H. J. R. 9. URGING THE DEFEAT OF THE EQUAL RIGHTS AMENDMENT.

1st Day

WHEREAS the Congress has passed the so-called Equal Rights Act (E.R.A.), which if ratified by thirty-eight of these United States will become a part of the United States Constitution; and

WHEREAS this proposed amendment provides: "Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

"Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article."; and

WHEREAS the law of this land was founded upon the common law of England which held among its highest sanctities the protection of women and the family; and

WHEREAS our forefathers saw the wisdom of writing into our statutes certain safeguards which were not intended to restrict women, but were actually designed to protect them and, in truth, to accord to them certain privileges which are not accorded to men; and

WHEREAS among these many privileges which women have, are the right to dower; the right to support for themselves and their children, and in cases of divorce, the presumptive right to keep their children; the privilege of not serving on juries unless they so desire; exemption from military duty; the right to have seating space made available for intermittent rest periods and separate toilet facilities for those who work in shops and stores and numerous other rights and privileges which have long been recognized by law and custom; and

WHEREAS we know of no business or profession in this state from which women are now barred since the last vestige of discrimination was removed when Section 158, Title 26, Code of Alabama 1940 was so amended in 1971 as to allow them to work in coal mines, and we have not been aware of their rush to seek such employment, nor have we been overwhelmed by their gratitude to this legislature in making such additional job opportunities available; and

WHEREAS, on the contrary, the women of this state have been notably successful in every field of endeavor and have been welcomed to the political arena and in service to this state; and the extent of our male chauvinism (whatever that term may mean) is reflected in the following facts: Our late Governor Lurleen Wallace, who was one of the six most admired women in the world was elected by a landslide; a woman jurist was appointed to our Court of Appeals: remained on the court for over twenty years, defeating every opponent, and at the time of her death last year was presiding judge of the court; three of our high constitutional offices have been filled solely by women for more than a decade; our welfare department, which was initiated by a woman, served as a model for the establishment of other such departments in countless other states, had its first male director in 1935; at least one woman has been elected to our public service commission for over twenty years; a woman is currently serving on our first elected state board of education; we have sent women to both houses of Congress; we have had several women state legislators and feel most fortunate in having such an able and delightful woman colleague with us now; and

WHEREAS we believe the so-called Equal Rights Amendment serves no useful purpose, that it does not grant any rights to women which they do not

already have under the 14th and 19th Amendments to the Constitution, rather that it will serve only to remove certain privileges and protections which they now enjoy; that it is not in the best interests of our state and nation; that it is a fraud and calculated deception instigated for malpurposes; that it was passed by Congress only through a fluke in the legislative process and by means of intense pressure applied to members by radicals and liberals who are aided by well meaning but misguided and misinformed persons; and

WHEREAS we believe that the majority of intelligent and well informed women, as well as men, are opposed to the ratification of this amendment which will strip them of these time-honored privileges; and

WHEREAS a growing dissatisfaction with the provisions of E. R. A. is becoming apparent with eleven states having already voted it down and two other states, Idaho and Nebraska, reportedly attempting to rescind their approval; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we cannot, we must not, we will not ratify the Equal Rights Amendment to the Constitution of the United States, and we strongly urge every state in the Union to reject it in its entirety by such an overwhelming vote that it will never again be submitted.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to the presiding officers of the Legislature of each state which has not heretofore rejected the so-called Equal Rights Amendment.

The resolution, H. J. R. 9, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Gray (F):

H. J. R. 10. HONORING THE LIFE AND WORKS OF DOCTOR MARTIN LUTHER KING, Jr.

WHEREAS Doctor Martin Luther King, Jr. by his courageous, sincere and selfless devotion to duty and his fellowmen won a place in the hearts and minds of all the people of the State of Alabama and the world; and

WHEREAS Doctor King was once a resident of Alabama, serving as pastor of the Dexter Avenue Baptist Church, and while here he began his long career of seeking improvements for the people of his race and for the poor people of this nation; and

WHEREAS Doctor King was a brilliant scholar who earned degrees from Moorehouse College in Atlanta, Georgia, The Crozer Theological Seminary in Chester, Pennsylvania and Boston University in Boston, Massachusetts. He was awarded honorary degrees from several universities; and

WHEREAS in the civil rights movements which he led in an effort to secure rights for his people he reflected the uncommon endowments of foresight, perseverance and capacity for intelligent leadership. He was a man who believed strongly in the democratic process of reason and debate and he abhorred violence in any form by any individual; and

REGULAR SESSION
1st Day

15

WHEREAS Doctor King was one of the great men of our country and received many esteemed honors during his short life. He served as President of the Southern Christian Leadership Conference; served as Vice President of The National Sunday School and Baptist Training Union; was a member of the Congress of the National Baptist Convention, Incorporated; was the recipient of the Pearl Plafkner Award for scholarship at Crozer Theological Seminary; and

WHEREAS Doctor King contributed much to our social and cultural lives and received many national and world honors for his works. Time Magazine selected him as one of the ten most outstanding personalities of 1956 and in 1964 he received the esteemed Nobel Peace Prize. Social organizations to which Doctor King lent his outstanding talent included the Montgomery Movement; the National Association for the Advancement of Colored People; and Alpha Phi Alpha. He was a great writer who was the author of "Stride Toward Freedom" and was a noted contributor to popular and religious periodicals; and

WHEREAS Doctor King was a staunch upholder of all that is high and worthy to mankind. He was a brilliant, compassionate man of vision who overcame great obstacles to help the people of his race and the poor people of this nation; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body wishes to honor the life and works of a great man, Doctor Martin Luther King, Jr., in order that our people may be inspired by his indomitable courage to accomplish their highest aspirations, and from which in the years to come they may gather added faith and spiritual strength.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to his widow, Mrs. Coretta Scott King, and his two children.

The resolution, H. J. R. 10, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Connell:

H. J. R. 11. EXPRESSING STRONG PROTEST AND OPPOSITION TO THE VOTING RIGHTS ACT OF 1965 AND URGING ITS REPEAL.

WHEREAS the United States Congress, under strong protest and opposition offered by the Legislature of Alabama and the members of Alabama's delegation in the United States Congress, enacted the Voting Rights Act of 1965; and

WHEREAS the provisions and administration of this Act have resulted in increasing and unrestricted federal intervention in the voting regulations and procedures of this State of Alabama and other southern states of these United States through federal voting examiners, the United States Attorney General and the United States District Court for the District of Columbia; and

WHEREAS the provisions and administration of this Act have resulted in striking down and nullifying the laws and regulations of this sovereign

state and to strip local officials of all power, authority, and duty conferred upon them; and

WHEREAS the federal government and each branch of the federal government was created by the people as a government of limited powers with those powers not delegated retained in the people and in the states, and, that assurance of this reservation should be made doubly sure and to forever prevent the usurpation of powers retained by the people, these reservations of powers were incorporated in the Bill of Rights as Amendments IX and X; and any nullification or impairment of those retained powers, either by congressional act, judicial fiat or by executive department usurpation, is a breach of faith and a violation of the oath subscribed to by every federal official to support that solemn guarantee to the people; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body urgently requests the United States Congress to repeal the Voting Rights Acts of 1965 as last amended and respectfully requests each member of Alabama's delegation in the United States Congress to use every effort and all means available to repeal this Act.

BE IT FURTHER RESOLVED That copies of this resolution be sent to each member of the Alabama delegation in the United States Congress.

The resolution, H. J. R. 11, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Weeks:

H. J. R. 12. OPPOSING AMNESTY FOR DESERTERS FROM THE ARMED FORCES OF THE UNITED STATES.

WHEREAS, a few have proposed that the United States grant amnesty to those who deserted the Armed Forces of our Country or escaped their duty to The United States by violating the Selective Service Laws, while our Nation was engaged in armed conflict in Asia; and

WHEREAS, since earliest time desertion of one's country in time of war has been one of the most detestable of all offenses; and

WHEREAS, in this world our national security depends upon our citizens responding to the call to arms when the Nation is in a state of war; and

WHEREAS, the Legislature of Alabama believes the granting of the proposed amnesty would be a disservice to our Country and an affront to the patriotic men and women who performed their duty in the Armed Forces, many of whom sacrificed their lives upon the altar of their Country; and

WHEREAS, the Legislature of Alabama deplors the journeys some Americans have made in recent years to North Vietnam, and condemns the unspeakable activities in which they engaged when they were accepting the hospitality of the enemy of our Country; and

WHEREAS, the Legislature of Alabama believes that the security and welfare of America require that the Congress adopt laws which will prohibit traveling from America to any nation with which America is engaged in

REGULAR SESSION
1st Day

17

armed hostilities, subject to the exceptions prescribed in such laws which should be clearly defined and strictly enforced; and

WHEREAS, the Legislature of Alabama believes that if laws in effect during the hostilities between the United States and North Vietnam did not make criminal the activities in which disloyal citizens engaged while in Vietnam, then the laws should be adopted making criminal such activities in the future.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING:

I. That the Legislature of Alabama petition, and it does hereby petition, the President and Congress of The United States to oppose the granting of amnesty to those who deserted the Armed Forces of The United States or evaded their duty to the United States in violation of the Selective Service Laws:

II. That the Legislature of Alabama petition, and it does hereby petition, the Congress of The United States to enact laws which will prohibit persons traveling from the United States to any nation with which The United States is in armed conflict, subject to exceptions which should be clearly defined in said laws and strictly enforced;

III. That the Legislature of Alabama petition, and it does hereby petition the Congress of the United States that if the laws in effect did not make criminal the unspeakable activities of disloyalty to America in which American citizens participated in North Vietnam when the United States was engaged in armed conflict with that nation, then to enact laws which will make criminal any such activities occurring in the future; and

IV. That a copy of this resolution be sent to the President of The United States, to the Vice President of The United States, to each Member of Congress of The United States and to the Attorney General of The United States.

The resolution, H. J. R. 12, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Collins and Barkett:

H. J. R. 13. CONDEMNING THE ACTIONS OF MISS JANE FONDA.

WHEREAS, Miss Jane Fonda, so-called movie actress, who may possibly be recalled for her appearances in X rated movies, and may be chiefly remembered for the striptease which she did upside down in outer space in a film dubbed "Barberella" where she unquestionably demonstrated her ability to cure insomnia, has sought solace from failure in her second chosen profession by attempting to set policy for the United States government in international relations; and

WHEREAS, Miss Fonda, by some inconceivable means, managed with the help of communist sympathizers to gain entry into North Vietnam where she was shown only what she wanted to see and was told only what she wanted to hear; and

WHEREAS the timing of Miss Fonda's trip to North Vietnam and her outpouring of sympathy to the communists while there gave aid and comfort to the enemy to such extent that the war was needlessly prolonged and may well have resulted in untold loss of life and unimaginable suffering; and

Whereas Miss Fonda has seen fit to return to this country, despite the alleged joys of living in a communist world, to call our heroic prisoners of war "hypocrits and liars" when they told of months and years of torture and suffering at communist hands; and

WHEREAS, we do not presume to know the motivation for Miss Fonda's traitorous actions, but highly suspect they are the direct result of very fertile seeds planted in a diseased mind; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we condemn the traitorous actions and venomous outpourings of Miss Jane Fonda, and highly recommend that she be given therapeutic treatment in an area of quiet solitude where she will no longer be a threat to this country or to herself.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Attorney General of the United States and of the State of California with the respectful request that they take such action as they may deem appropriate to bring Miss Fonda to the bar of justice for her actions if she is proven sane or to cause her to be committed to a proper institution if she is not.

The resolution, H. J. R. 13, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Bank:

H. J. R. 14. RATIFYING THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATING TO PROVIDING EQUAL RIGHTS TO WOMEN.

WHEREAS the 92nd Congress of the United States of America at its first session, in both Houses, by a Constitutional majority of two-thirds thereof, adopted the following proposition to amend the Constitution of the United States of America in the following words, to-wit:

"JOINT RESOLUTION

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the Legislatures of three-fourths of the several States within seven years from the date of submission by the Congress:

"ARTICLE

"Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

1st Day

"Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

"Section 3. This amendment shall take effect two years after the date of ratification."

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That:

1. The proposed amendment to the Constitution of the United States as herein shown be and the same is herein ratified.

2. Duly authenticated copies of this resolution shall be forwarded by the Clerk of the House to the Administrator of General Services, Washington, D. C. and to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States.

The resolution, H. J. R. 14, was read and referred to the Standing Committee on Rules.

FIRST READING ON PREFILED BILLS

Bills which had been prefiled and assigned to appropriate standing committees prior to the convening of this Regular Session, pursuant to Joint Rule 10 of the two Houses of the Legislature, were introduced, severally read one time, and formally referred to the same committees, as follows:

By Mr. Dill:

H. 1. To establish a Code of Ethics for members of the Legislature and provide for its enforcement; to establish legislative committees on standards and conduct and fix their powers and duties in connection with said code; and to provide civil and criminal penalties in connection with certain violations.

Judiciary.

By Mr. Stubbs:

H. 2. To amend Act No. 2289, H. 101 of the 1971 Regular Session, which provides a cost of living increase to certain retired members of the Teachers' Retirement System of Alabama, so as to increase the raise in retirement benefits and the appropriation therefor.

Ways and Means.

By Mr. Gafford:

H. 3. To amend Section 1 of Act No. 2128, S. 5, 1971 Regular Session approved September 20, 1971, entitled "To provide sales and use tax exemptions for certain medicines purchased by prescription." So as to extend the tax exemption to persons who are retired due to permanent and total disability, regardless of age, and to give the Commissioner of the State Department of Revenue certain duties and powers in connection therewith.

Ways and Means.

By Mr. Gafford:

H. 4. To amend the Code of Alabama 1940, Title 51, Section 15, as amended, relating to the exemption of homesteads from State ad valorem taxes, so as to provide additional exemptions for persons who are retired due to permanent and total disability, regardless of age, and to give the State Commissioner of Revenue certain powers and duties in connection therewith.

Ways and Means.

By Mr. Hearn:

H. 5. Relating to the City of Huntsville; providing for the establishment, construction, operation, development, equipment, improvement and maintenance of parks, park areas, park boulevards, playgrounds, park and playground systems, recreation centers and other recreational facilities and activities; defining the powers and duties of the city governing body in connection with all such matters; and creating a Park and Recreation Board for the City of Huntsville, prescribing its composition, selection, powers, duties and providing for the qualifications and removal of its members.

Local Legislation No. 4.

By Mr. Hearn:

H. 6. To provide a personnel program and merit system for the City of Huntsville; to prescribe the personnel administration policy; to provide for a personnel board of commissioners and to fix its duties, authority and power; to provide for the appointment, removal, salaries, tenure and official conduct of certain employees; and to provide for financing the administration of this Act.

Local Legislation No. 4.

By Messrs. McBride and Ellis:

H. 7. Relating to motor vehicles: To provide means for the recovery of stolen vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State department of public safety; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon in the offices of the judges of probate or other motor vehicle licensing authorities in the several counties; to grant certain powers and authority to and impose certain duties on the State department of public safety; and to impose penalties for violations of this Act.

Judiciary.

By Mr. Warren:

H. 8. To repeal Act No. 1196, H. J. R. 223, approved September 16, 1971, which authorized additional staff for the presiding officers of each house of the legislature and for the legislative committee of public accounts.

Rules.

By Mr. Warren (with notice and proof):

H. 9. To repeal Act No. 2154, H. 2721, Regular Session 1971, approved October 1, 1971, entitled "An Act relating to Conecuh County; au-

thorizing the board of education to retire teachers who have attained the age of sixty-five."

Local Legislation No. 1.

Notice and Proof H. 9:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 2154, H. 2721, Regular Session 1971, approved October 1, 1971, entitled "An Act relating to Conecuh County; authorizing the board of education to retire teachers who have attained the age of sixty-five."

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 2154, H. 2721, Regular Session 1971, approved October 1, 1971, entitled, "An Act relating to Conecuh County; authorizing the board of education to retire teachers who have attained the age of sixty-five," is hereby expressly repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECHUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 27, February 3, February 10, and February 17, all in the year 1972.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me February 17, 1972.

HAROLD ADAMS,
Notary Public.

My commission expires April 7, 1973.

By Mr. Ellis:

H. 10. Relating to motor vehicles: To provide means for the recovery of stolen vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State department of public safety; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon in the offices of the judges of probate or other motor vehicle licensing authorities in the several counties; to grant certain powers

and authority to and impose certain duties on the State department of public safety; and to impose penalties for violations of this Act.

Judiciary.

By Mr. Ellis:

H. 11. To provide that any county governing body and sheriff's department in such county shall be empowered and authorized to enter into an agreement or contract with the State Department of Public Safety to establish and maintain a helicopter ambulance service in certain participating counties; and to authorize the expenditure of public funds for the establishment and maintenance of said service.

Ways and Means.

By Messrs. Ellis, Doss and Timmons:

H. 12. To provide tuition grants to any full time law enforcement officer of the state, municipality or county who attends any state supported college in this state which offers courses toward a Bachelor's Degree in Law Enforcement so as to allow eligible officers to take such courses free of tuition charges.

Ways and Means.

By Mr. Ellis:

H. 13. Relating to public safety, requiring submission of proof of financial responsibility as a condition precedent to the registration or licensing of motor vehicles in Alabama and prescribing penalties.

Insurance.

By Mr. Lyons (with notice and proof):

H. 14. To require the posting of fee for costs in all civil suits filed in any court in Mobile County.

Local Legislation No. 3.

Notice and Proof H. 14:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL TO BE ENTITLED AN ACT

To require the posting of fee for costs in all civil suits filed in any court in Mobile County.

Be It Enacted by the Legislature of Alabama:

REGULAR SESSION
1st Day

23

Section 1. No civil suit shall be received for filing by the clerk of any court in the County of Mobile, State of Alabama unless the bill of complaint is accompanied by a filing fee of \$20.00. In the event the court costs are not collected from the defendant in such action, the \$20.00 filing fee shall be applied toward the payment of such costs in the case. Upon the payment of court costs by the defendant in any suit in which a filing fee has been paid, then the plaintiff shall be refunded his filing fee by the clerk of the court.

Section 2. All laws or parts of laws in conflict with the provisions hereof be, and the same are, expressly repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 23, March 30, April 6, and April 13, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me April 16, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. Carnes:

H. 15. To repeal Code of Alabama, Title 52, Section 437, which permits matriculation fees in high schools, as well as library, laboratory and shop work fees.

Ways and Means.

By Mr. Carnes:

H. 16. To amend Code of Alabama, Title 52, Section 142, so as to provide that no fees of any kind shall be collected from children attending any school under the supervision or control of any county or city board of education.

Ways and Means.

By Mr. Warren:

H. 17. Relating to public safety, requiring submission of proof of financial responsibility as a condition precedent to the registration or licensing of motor vehicles in Alabama and prescribing penalties.

Insurance.

By Mr. Stewart:

H. 18. To amend the "Mini Code," Act No. 2052, S. B. 122 of the Regular Session of 1971, approved October 1, 1971, in relation to the maximum finance charge for any loan or forbearance and for any credit sale so as to reduce the maximum rate of the interest permissible under such law.

Banking.

By Mr. Jones (F):

H. 19. To amend Section 23 of Act No. 1258, S. 431, Regular Session 1971, approved September 22, 1971, so as to make the City Recorder of the city of Montgomery a full time elected official and to establish the procedure for the election, compensation and qualifications of the office.

Local Legislation No. 4.

By Mr. Gafford:

H. 20. To repeal Act No. 872, H. 1525, approved September 7, 1971, Regular Session 1971 (Acts 1971, p. 1632), entitled, "An Act To provide that when any vacancy occurs on the governing body of any county of this State having a population of 500,000, or more, according to the last or any subsequent federal census, a special election shall be held under the provisions of Chapter 19, Title 17, Code of Alabama 1940, subject to the changes in the provisions of said Chapter 19, as are provided for by this Act."

Local Legislation No. 2.

By Mr. Ellis:

H. 21. To provide for a uniform traffic ticket and complaint form to be used by all state, county and municipal law enforcement officers of this state; and provide penalties for the violation of the provisions of this Act.

Ways and Means.

By Mr. Ellis:

H. 22. Relating to drivers' licenses; providing for revocation of drivers' licenses under certain circumstances; and providing penalties for violation of the provisions of this Act.

Judiciary.

By Mr. Adams:

H. 23. To make an additional appropriation to the Vocational Education Department.

Ways and Means.

By Mr. Waldrop:

H. 24. To amend the title, Sections 1, 3 and 4 of Act No. 2307, S. B. 250, Regular Session 1971, (Acts 1971, p. 3728), which act provides for certain school bus drivers, mechanics and maintenance workers in any public school or public college within the state to become members of the Teachers' Retirement System of Alabama and to receive the benefits therefrom, subject to certain conditions, and which appropriates certain funds to carry out the

REGULAR SESSION
1st Day

25

provisions of said act; so as to include all regularly employed janitors, other custodial help and lunch room workers within the provisions of said act, and to provide an additional appropriation for the purpose of carrying out the provisions of this act.

Ways and Means.

By Mr. Waldrop:

H. 25. To provide all full time employees of the state in the educational field with a health, hospitalization and medical insurance program which is comparable to that provided state employees; and to prescribe rules and regulations and appropriate funds for carrying out the purposes of this act.

Ways and Means.

By Mr. Waldrop:

H. 26. To amend Section 366 of Title 52 of the Code of Alabama 1940, which relates to Teachers' Retirement System of Alabama, by allowing a member to retire after thirty years of creditable service regardless of age.

Ways and Means.

By Mr. Waldrop:

H. 27. To provide for the retirement of employees under the State Retirement System who have at least 30 years service regardless of age, and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Ways and Means.

By Mr. Falkenburg:

H. 28. To provide for the establishment of community antenna television systems and the creation of a community antenna television commission to regulate such systems; to specify the powers and duties of the commission and to provide penalties for the violation of the provisions of this act.

Commerce and Transportation.

By Mr. Ellis:

H. 29. To provide for a driver license, a chauffeur license, a motorcycle license, and to prescribe the manner of test therefor, and to authorize the Director of Public Safety to issue said licenses.

Judiciary.

By Mr. Ellis:

H. 30. Making further provisions respecting the issuance of driver licenses, providing for development, installation, and use of a system of color photographic driver license forms.

Judiciary.

By Mr. Jones (F):

H. 31. To amend the title and Section 1 of Act No. 457, H. 973, Regular Session 1957 (Acts 1957, p. 619), which regulates further the power and

authority of certain cities classified on a population basis to levy or impose privilege license taxes.

Local Legislation No. 4.

By Mr. Waldrop:

H. 32. A declaration of the existence of an emergency condition relating to education in the City of Gadsden; providing for an appropriation to the Gadsden City Board of Education for the construction of a school at Gadsden.

Ways and Means.

By Mr. Erdreich:

H. 33. To provide that the names of candidates for President and Vice President of the United States shall appear on the official ballot in general elections; to describe the form of ballot to be used in such election and to provide the method of determining the names of such Presidential and Vice Presidential candidates; and to further provide for the form of the ballot when elector candidates are unpledged to any Presidential or Vice Presidential candidate.

Constitution and Elections.

By Mr. Waldrop:

H. 34. To provide for direct voting on candidates for President and Vice President of the United States; making further provisions respecting election and appointment of presidential electors; and repealing conflicting laws.

Constitution and Elections.

By Mr. Crowe:

H. 35. To amend Code of Alabama 1940, Title 14, Section 318 so as to give the jury authority in its discretion to sentence the defendant in certain specific murder cases to death, and to provide for and regulate automatic review by the board of pardons and paroles of all murder cases in which the defendant is sentenced to death after all judicial review of such cases and for the recommendation by said board of pardons and paroles to the Governor for the commutation of such sentences when certain mitigating circumstances surround the case.

Public Welfare.

By Mr. Kinsey:

H. 36. To add a new Section No. 10 to the end of Act No. 1590, S. 415, 1971 Regular Session (1971 Acts, p. 2717), entitled "An Act To designate the State Board of Health as the responsible agency and to authorize it to establish and enforce rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers; to establish and enforce rules and regulations for the operations, design, equipment and inspection and licensing of ambulances; and to establish requirements for the operation and coordination of ambulances; to provide for violation of rules and regulations established hereunder; exempting certain volunteer rescue

squads from the provisions of this Act," so as to provide that the provisions of the Act shall not apply to Baldwin County and to provide further that the county governing body of Baldwin County shall have the power to regulate ambulances and ambulance attendants and drivers.

State Administration.

By Mr. Hobbie:

H. 37. To require the State Board of Health and any other state, county or municipal agency or authority which licenses public hospitals to issue or renew such license only if said hospital furnishes hospital emergency care to persons in danger of loss of life, severe injury or serious illness, regardless of such person's ability to pay, and to make such care and treatment available on a 24 hour per day, seven day a week basis, with a licensed physician in attendance; to prescribe standards for such emergency service; and to provide penalties for violation.

Health.

By Mr. Merrill:

H. 38. Relating to motor vehicles: To provide means for the recovery of stolen motor vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State Department of Revenue; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon; to grant certain powers and authority to and impose certain duties on the State Department of Revenue and to impose penalties for violations of this Act.

Judiciary.

By Mr. Jones (F):

H. 39. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to provide that all public hospitals licensed in such counties must provide an on-duty physician and certain other personnel 24 hours a day for the rendering of emergency care and providing penalties.

Local Legislation No. 4.

By Mr. Jones (F):

H. 40. Relating to all cities having populations of not less than 70,000 nor more than 135,000, according to the most recent federal decennial census; providing for such cities to be governed by a mayor-council form of government and for the abandonment of the existing form of government; providing for the legal status, continuation of government, and powers of any such city; providing for the authority, powers and duties of the council and for the number, qualifications, terms and compensation of its members and the manner of their election; providing for the authority, powers and duties of the mayor and for his qualifications, term and compensation and the manner of his election; providing for the filling of vacancies in the office of mayor and on the council; providing for the continuance in status of officers and employees in the classified service of any civil service system or retirement system and the continuity of offices, departments and agencies and the trans-

fer of records and property; providing for the continuance of contracts and public improvements and of actions pending and proceedings begun; making other provisions for the change of municipal government of such cities; and providing that the provisions of all laws, local or general, relating to the government of any such city to which this act applies, shall be superseded to the extent that the same are inconsistent with the provisions of this act.

Local Legislation No. 4.

By Mr. Jones (F):

H. 41. To amend Sections 3, 4, 5, 9, 10, 14 and 22 of Act No. 1571, H. 1118, Regular Session 1971 (Acts 1971, p. 2682), an act providing further for the form of government in cities having populations of not less than 70,000 nor more than 135,000, according to most recent federal decennial census, authorizing abandonment of the existing form of government and providing for a mayor-council form of government, subject to a referendum; so as to provide further for submission of the petition on the question of adopting the mayor council form of government; to increase the compensation of the mayor and members of the council; and to provide further for the time of the election and installation of the first mayor and first councilman.

Local Legislation No. 4.

By Mr. Stubbs:

H. 42. Making the use of certain commercial fishing nets in this state illegal; providing exceptions under certain conditions and in areas where the use of such nets is authorized by the Commissioner of the Department of Conservation and Natural Resources upon petition by certain members of the legislature and prescribing penalties for violation of the provisions of this act.

Conservation.

By Mr. Jones (F):

H. 43. To amend Section 2 of Act No. 2052, S. 122, Legislature of 1971, Regular Session, approved August 26, 1971, which provides maximum finance charges for loans and credit sales, and regulates extensions of credit.

Banking.

By Mr. Stewart:

H. 44. To make subject to the state sales and use taxes the sale or use of property purchased under certain conditions by any public or semi-public corporation, board, authority, any county or municipality, or any agency or instrumentality thereof and to prohibit the appointment of any contractor or agent of any contractor as purchasing agent for the state or any county, municipality, public or semi-public corporation or any board, authority, agency or instrumentality thereof in connection with any public works construction in this state and to repeal laws in conflict herewith.

Ways and Means.

By Mr. Stewart:

H. 45. To raise revenue: Designating certain leasehold interests in lands, buildings and other improvements thereon as separate and special in-

terests in land and subject to ad valorem taxation when the leased premises are owned by the State, a county, a city or a public corporation; providing for the valuation of such leasehold interests, and for the assessment and collection of ad valorem taxes levied thereon, and prescribing exemptions.

Ways and Means.

By Mr. Stewart:

H. 46. To require the tax assessor of each county in this state to assess and estimate a value on all real and personal property therein, including all property which is exempted from ad valorem taxation.

Ways and Means.

By Mr. King:

H. 47. Relating to elections; to change the dates for primary elections and for filing declarations of candidacy; to abolish statutory procedures for contesting primary elections and to authorize and direct the executive committees of political parties to provide by party rule for contesting such elections; to correlate other provisions of the election laws with these changes; and for these purposes amending Code of Alabama 1940, Title 17, Sections 106, 145, 340, 344, 348, 360, 373, 407 and 414 and repealing Sections 378 through 384, 386, 388, 389 and 391 of said title.

Constitution and Elections.

By Mr. Jones (F):

H. 48. To provide that all guards employed by the State in the Capitol area complex shall be granted the power and authority of deputy sheriffs and state law enforcement officers to enforce the laws of this State and to provide further that they shall be deemed "peace officers" under provisions of Act No. 999 of the Regular Session of the Alabama Legislature, 1969 (Alabama Peace Officers' Annuity and Benefit Fund Act).

Public Welfare.

By Mr. Jones (F):

H. 49. To require each probate judge to furnish annually a list of the qualified voters in each county; to establish the Voter Checklist Division in the Secretary of State's office and to authorize funds and personnel for the operation of this division.

Constitution and Elections.

By Mr. Jones (F):

H. 50. To prohibit a law enforcement officer, district attorney, county solicitor or other public official from giving out information concerning a person charged with a crime, except to certain authorized persons; and to prescribe penalties.

Judiciary.

By Mr. Jones (F):

H. 51. Proposing an amendment to the Constitution prohibiting a law enforcement officer, district attorney, county solicitor, or other public official

from giving out information concerning a person charged with a crime, except to certain authorized persons and prescribing penalties.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Mr. Jones (F):

H. 52. To define and prohibit certain corrupt practices in regard to elections; providing that such practices shall constitute a felony and fixing the penalty therefor.

Judiciary.

By Mr. Jones (F):

H. 53. To further define and prohibit corrupt practices in regard to elections; providing that such practices shall constitute a felony and fixing the penalty therefor.

Judiciary

By Mr. Jones (F):

H. 54. To further define and prohibit corrupt practices in regard to elections; providing that such practices shall constitute a felony and fixing the penalty therefor.

Judiciary.

By Mr. Jones (F):

H. 55. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to make any tax it levies or bond issue it authorizes contingent upon approval by the people at a referendum election.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Jones (F):

H. 56. To provide that the employees of Auburn University Cooperative Extension Service offices in each county shall receive the same holidays as county employees.

Education.

By Mr. Jones (F):

H. 57. To propose an amendment to the Constitution of the State of Alabama relative to the office of lieutenant governor.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Jones (F):

H. 58. Regulating further the office of lieutenant governor; prescribing his duties; and fixing and providing for the payment to him of a salary as compensation therefor.

Constitution and Elections.

By Mr. Jones (F):

H. 59. To authorize the Governor, the Director of Finance, and the Attorney General to become a public corporation for the purpose of acquiring land from the State or otherwise upon which it shall, at a cost not to exceed five million dollars, construct, operate and maintain, or cause to be constructed, operated and maintained an office building the space therein to be rented to officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States; and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds, and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to confer on the corporation the power of eminent domain; to provide for the lease to and by officers, agencies, boards, commissions, corporations and bureaus of the State of Alabama and of the United States of space for occupancy in said building; and to provide that any properties of the corporation and the income therefrom and any securities issued and the income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

State Administration.

By Mr. Jones (F):

H. 60. To make it unlawful to give away any animal at any circus, carnival or fair and prescribing the penalty for violation of the provisions of this Act.

Public Welfare.

By Mr. Jones (F):

H. 61. Relating to the State Personnel Board; to increase the number of members on said board from three to five; providing for the selection, appointment, term of office and compensation of the additional two members.

State Administration

By Mr. Jones (F):

H. 62. To prescribe and regulate the manner of designating delegates from Alabama to national conventions of political parties.

Constitution and Elections.

By Mr. Jones (F):

H. 63. Relating to elections; to change the dates for primary elections and for filing declarations of candidacy; to abolish statutory procedures for contesting primary elections and to authorize and direct the executive committees of political parties to provide by party rule for contesting such elections; to correlate other provisions of the election laws with these changes; and for these purposes amending Code of Alabama 1940, Title 17, Sections 106, 145, 340, 344, 348, 360, 373, 407 and 414 and repealing Sections 378 through 384, 386, 388, 389 and 391 of said title.

Constitution and Elections.

By Mr. Jones (F):

H. 64. To grant and provide for payment of a ten percent cost of living pay raise effective retroactive to October 1, 1972, and a fifteen percent cost of living pay raise effective October 1, 1973, to be paid all state employees subject to the provisions of the state merit system and to appropriate money for such purpose.

Ways and Means.

By Mr. Jones (F):

H. 65. To provide that the names of candidates for President and Vice President of the United States shall appear on the official ballot in general elections; to describe the form of ballot to be used in such election and to provide the method of determining the names of such Presidential and Vice Presidential candidates; and to further provide for the form of the ballot when elector candidates are unpledged to any Presidential or Vice Presidential candidate.

Constitution and Elections.

By Mr. Jones (F):

H. 66. To provide that, upon request, any applicant shall be entitled to individual counsel from the Alabama Bar Association to explain why he failed any part, subject matter or segment of the Alabama Bar Examination.

Judiciary.

By Mr. Jones (F):

H. 67. Creating a department of public utility examiners within the public service commission for certain purposes; providing for the appointment, qualifications, duties and authority of a director and for the employment of necessary employees; requiring certain duties of public utilities, their officers and agents; requiring the department of public utility examiners to make certain reports and providing for the expenses of its operation.

State Administration.

By Mr. Jones (F):

H. 68. Relating to the public service commission; creating a public utility board and declaring the purposes of the organization; providing for the appointment, qualifications, duties, terms and compensation of its members; requiring the filing of certain annual reports; and providing that compensa-

REGULAR SESSION
1st Day

33

tion for board members and clerical assistance shall be paid from funds appropriated to the public service commission.

State Administration.

By Mr. Jones (F):

H. 69. Relating to state employees; to provide that any state employee who is unable to work due to illness or injury and who has exhausted all of his sick and annual leave may continue to pay his part of any retirement or insurance programs maintained for the benefit of state employees; to provide that the state department or agency employing such persons may pay its proportionate share of any such retirement or insurance program.

Ways and Means.

By Mr. Jones (F):

H. 70. To provide that certain persons who possess undergraduate and law degrees shall be licensed to practice law in this state upon the completion of certain apprenticeship programs.

Judiciary.

By Mr. Jones (F):

H. 71. To provide for the adoption by the Alabama Bar Association of the "Multistate Bar Examination" developed by the Bar Examining Committee of the National Conference of Bar Examiners and to provide for the authority to implement and carry out the program.

Judiciary.

By Mr. Jones (F):

H. 72. To allow qualified law school graduates to take the Alabama Bar Examination six times within the rules and regulations of the Alabama State Bar Association and to provide that no applicant shall be required to rewrite that portion, segment or subject matter of the examination which he has passed on a previous examination.

Judiciary.

By Mr. Jones (F):

H. 73. Relating to the method of giving notice of the requirement of attendance of jury service in the 15th Judicial Circuit of Alabama.

Local Legislation No. 4.

By Mr. Jones (F):

H. 74. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to authorize the Board of Registrars to meet five days each week.

Local Legislation No. 4.

By Mr. Jones (F):

H. 75. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent fed-

eral decennial census; to provide that any employee of a retail store operated by the ABC Board in such counties shall be compensated only by overtime pay for work performed in excess of 8 hours a day or 40 hours per week and to require that such employees be given the same holidays as other State employees.

Local Legislation No. 4.

By Mr. Jones (F):

H. 76. Relating to counties having a population of not less than 150,000 nor more than 180,000; prohibiting any elected official, legislator, member of county and municipal boards or commissions, and any appointed member of any county or municipal board, agency, authority or other subdivision appointed by or to serve under the county governing body or municipal governing body, and certain of their relatives, from doing any business with the county or any of its municipalities and prescribing penalties for violating any of the provisions of this Act.

Local Legislation No. 4.

By Mr. Jones (F):

H. 77. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants, according to the most recent federal decennial census; to require that any bonds, or refunding bonds, issued by the county governing body or the governing body of any incorporated municipality therein must be approved by a vote of the people in order to be valid; to provide that any public officials who authorize the issuance of any bonds without a vote of approval by the people shall forfeit his public office.

Local Legislation No. 4.

By Mr. Jones (F):

H. 78. To further amend Section 5 of Act No. 2280, S. 478, Regular Session 1971, approved October 1, 1971, (1971 Acts, p. 3671), as amended, which established a county-wide personnel system for all counties having a population of not less than 150,000 nor more than 180,000, by authorizing the granting of either compensatory leave or overtime pay at 1½ times the normal rate of pay to employees.

Local Legislation No. 4.

By Mr. Jones (F):

H. 79. Relating to all counties having a population of not less than 150,000 nor more than 180,000, according to the most recent federal decennial census; prescribing the composition of the ballot, by listing the order in which candidates are shown.

Local Legislation No. 4.

By Mr. Jones (F):

H. 80. To regulate further the power and authority of cities having a population of not less than 70,000 nor more than 135,000, according to the last or any subsequent federal decennial census, to levy or impose privilege license taxes.

Local Legislation No. 4.

REGULAR SESSION
1st Day

35

By Mr. Jones (F):

H. 81. Relating to all counties having populations of not less than 150,000 nor more than 180,000, according to the most recent federal decennial census; abolishing primary elections of political parties for the election of county officers; providing for nonpartisan ballots in the election of such officers; requiring certificates of qualification, declarations of candidacy and qualification fees to be filed by candidates for such officers; and defining terms.

Local Legislation No. 4.

By Mr. Hale:

H. 82. To create the offense of false personation of law enforcement officers and to provide punishment for the same.

Judiciary.

By Mr. Wallace:

H. 83. To provide sales and use tax exemptions for certain foods for human consumption.

Ways and Means.

By Mr. Wallace:

H. 84. To provide that the names of candidates for President and Vice President of the United States shall appear on the official ballot in general elections; to describe the form of ballot to be used in such election and to provide the method of determining the names of such Presidential and Vice Presidential candidates; and to further provide for the form of the ballot when elector candidates are unpledged to any Presidential or Vice Presidential candidate.

Constitution and Elections.

By Mr. Jones (F):

H. 85. To regulate further the power and authority of cities having a population of not less than 70,000 nor more than 135,000 according to the last or any subsequent federal decennial census, to levy or impose privilege license taxes.

Local Legislation No. 4.

By Mr. Jones (F):

H. 86. To provide limited liability insurance on state owned motor vehicles and on duly authorized drivers thereof and on personally owned motor vehicles when being used in the regular course of the business of the state by employees or agents of the state and on the drivers of such vehicles; to provide for the manner of payment of such insurance, and for the administration of this act by the finance department.

Insurance.

By Mr. Jones (F):

H. 87. To amend Act No. 1462, H. 1021, Regular Session 1971 (Acts 1971, p. 2489), which provides retirement benefits for certain employees un-

der the State Retirement System, so as to provide full retirement benefits for employees who have obtained the age of 50 or more and have at least 30 years state service.

Ways and Means.

By Mr. Jones (F):

H. 88. To provide for the issuance of a permanent combined hunting and fishing license for any resident of this state who is at least sixty-five years of age; prescribing fees for such licenses and for issuance; providing for the use of revenue from the sale of such licenses; repealing conflicting laws and specifically repealing Act No. 546, S. 537, Regular Session 1965, and the conflicting provisions of Section 38, Title 8, Code of Alabama 1940, as amended.

Conservation.

By Mr. Jones (F):

H. 89. To provide that certain persons who possess undergraduate and law degrees shall be licensed to practice law in this state upon the completion of certain apprenticeship programs, and providing for the payment of certain fees to the Alabama State Bar Association.

Judiciary.

By Mr. Hale:

H. 90. To prohibit coordination or proration of benefits with other insurers for health and disability insurance carried in group or blanket insurance coverage.

Insurance.

By Mr. Jones (F):

H. 91. To provide in every county of the state having a population of not less than 150,000 nor more than 180,000, according to the last or any subsequent federal census, for the method of electing the following officers: members of the house of representatives of the State of Alabama representing said county, where only the qualified electors of said county participate in the election of the member or members of the house of representatives representing said county; the member or members of the senate of the legislature of the State of Alabama representing said county where only the qualified electors of said county participate in the election of the member or members of the senate representing the said county; the judges of the circuit court where only qualified electors of said county or only qualified electors of a part of said county participate in the election of the circuit judges serving in the county; the members of the governing body of the county; the probate judge; the sheriff; the tax collector; the tax assessor; the county treasurer; constables; and any other county officer elected at or in an election in which only the qualified electors of said county or the qualified electors of a designated part of said county are entitled to vote; to provide that in voting for candidates seeking any of the offices enumerated above an elector shall not vote a straight ticket, that is the party ticket, but shall cast his vote by pulling the lever separately, or by marking the ballot separately, for each candidate for whom he desires to vote; to provide that the voting machines used in any

REGULAR SESSION
1st Day

37

election of any of the said officers in said county shall be so set and the ballots, if used, shall be so prepared as to prevent any elector from voting the straight ticket, that is the party ticket, for any candidate seeking any office above enumerated; to repeal all laws or parts of laws, whether general, local or special, to the extent that the same conflict with the provisions of this act; and to provide that if any provision of this act is held invalid, such invalidity shall not affect the remaining provisions of the act.

Local Legislation No. 4.

By Mr. Jones (F):

H. 92. Further regulating voting; prohibiting the voting of a straight party ticket in one operation; specifically repealing Section 157 and sub-section (b) of Section 97, Title 17 Code of Alabama 1940.

Constitution and Elections.

By Mr. Collins:

H. 93. To amend Code of Alabama 1940, Title 33, Section 25, in relation to the rank or privilege accorded the mechanics', blacksmiths' or woodworkmen's liens created by said section in relation to a security interest in the goods or chattels for which services or materials were furnished by the mechanic, blacksmiths or woodworkmen.

Judiciary.

By Mr. Collins:

H. 94. Relating to motor vehicles; providing for the revocation of the driver's license of any person convicted of repeated violations of the traffic laws and who has been designated an habitual offender under the provisions of this Act; prescribing the procedure for the petition, hearing and appeal in such cases; and prescribing the penalties for driving after license has been suspended or revoked.

Highway Safety.

By Mr. Collins (With Notice and Proof):

H. 95. To authorize the Sheriff of any county having a population of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census, to select and appoint an Assistant Chief Clerk, to provide for the appointment of such Assistant Chief Clerk, the term of office of such Assistant Chief Clerk; To provide for the salary of such Assistant Chief Clerk and the method of payment of such salary.

Local Legislation No. 3.

Notice and Proof H. 95:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

1st Day

A BILL
TO BE ENTITLED
AN ACT

To authorize the Sheriff of any county having a population of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census, to select and appoint an Assistant Chief Clerk, to provide for the appointment of such Assistant Chief Clerk, the term of office of such Assistant Chief Clerk; To provide for the salary of such Assistant Chief Clerk and the method of payment of such salary.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of any county having a population of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census, may appoint a qualified person to serve as his Assistant Chief Clerk, whose compensation shall be fixed at an amount not less than Step A of Range 53 nor more than Step D of Range 53 as set forth in the pay plan of the Personnel Board, said salary to be adjusted at the same time and at the same percentage rate as merit system employees in such counties. The salary of the Assistant Chief Clerk shall be paid from the General Funds of the county in the manner the compensation of the Chief Clerk is paid. The Assistant Chief Clerk shall serve at the pleasure of the Sheriff, he shall have all the power and authority of a Deputy Sheriff, and shall perform such duties as the Sheriff may prescribe. His appointment or removal shall not be governed by the provisions of any civil service or merit system law or regulations in effect in any such counties coming under the provisions of this act.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 23, March 30, April 6, and April 13, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me April 16, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. Collins (With Notice and Proof):

H. 96. Relating to counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decenni-

REGULAR SESSION
1st Day

39

al census; providing for a traveling expense for the serving of any summons or other mesne process, except subpoenas for witnesses, in any such counties coming under the provisions of this act.

Local Legislation No. 3.

Notice and Proof H. 96:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; providing for a traveling expense for the serving of any summons or other mesne process, except subpoenas for witnesses, in any such counties coming under the provisions of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the fee and allowance of the Sheriff of all counties having a population of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census, there shall be allowed the sum of one dollar (\$1.00) for traveling expense for each trip made in serving any summons or other mesne process, except subpoenas for witnesses. Traveling expense shall be allowed only for one trip in serving any summons or other mesne process as provided for above, and no mileage fee shall be charged, demanded or received for such service.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 23, March 30, April 6, and April 13, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me April 16, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. Collins (With Notice and Proof):

H. 97. To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, and further amended by an Act of the Legislature of Alabama, being Local Act No. 612, approved August 29, 1969, page 1119 of the Local Acts of Alabama 1969, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

Local Legislation No. 3.

Notice and Proof H. 97:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, and further amended by an Act of the Legislature of Alabama, being Local Act No. 612, approved August 29, 1969, page 1119 of the Local Acts of Alabama of 1969, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of an Act of the Legislature of Alabama being Local Act No. 102, approved June 3, 1943, page 59 of the Local Acts of 1943, which was amended by an Act of the Legislature of Alabama, being Local Act No. 784, approved September 8, 1961, page 1136 of the Local Acts

of Alabama of 1961, and further amended by an Act of the Legislature of Alabama, being Local Act No. 612, approved August 29, 1969, page 1119 of the Local Acts of Alabama of 1969, be and the same is hereby amended so as to read as follows: "Section 2. Such attorney so appointed shall receive as his compensation seven thousand two hundred and no-100 (\$7200.00) dollars per annum, payable in equal monthly installments upon warrants drawn in the same manner as other employees of Mobile County."

Section 2. That all laws or part of laws, general, local or special, in conflict with the provisions of this Act be, and the same are hereby expressly repealed.

Section 3. This Act shall become effective immediately upon its passage by the Legislature and its approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 23, March 30, April 6, and April 13, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me April 16, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. Collins (With Notice and Proof):

H. 98. To amend further Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, P. 597), relating to the compensation of the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

Local Legislation No. 3.

Notice and Proof H. 98:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

1st Day

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, P. 597), relating to the compensation of the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, P. 597), relating to the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000 is amended further to read as follows:

"Section 1. In all counties having populations of not less than 300,000 nor more than 500,000, according to the last federal decennial census, the chief deputy sheriff shall be paid a salary of not less than Step A of Range 58 nor more than Step D of Range 58 as set forth in the Pay Plan of the Personnel Board, said salary to be adjusted at the same time and at the same percentage rate as merit system employees in such counties; the chief clerk in the sheriff's department shall be paid a salary of not less than Step A of Range 58 nor more than Step D of Range 58 as set forth in the pay plan of the personnel board, said salary to be adjusted at the same time and at the same percentage rate as merit system employees in such counties; the chief investigator in the sheriff's department shall be paid a salary of not less than Step A of Range 53 nor more than Step D of Range 53 as set forth in the pay plan of the personnel board, said salary to be adjusted at the same time and at the same percentage rate as merit system employees in such counties; the assistant chief deputy in the sheriff's department shall be paid a salary of not less than Step A of Range 53 nor more than Step D of Range 53 as set forth in the pay plan of the Personnel Board, said salary to be adjusted at the same time and at the same percentage rate as merit system employees in such counties. The salaries of all the above listed assistants in the sheriff's department shall be payable in equal monthly installments upon warrants drawn in the same manner prescribed for payment of compensation of county employees."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 23, March 30, April 6, and April 13, all in the year 1973.

E. E. KOCH.

REGULAR SESSION
1st Day

43

Sworn to and subscribed before me April 16, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. Collins (With Notice and Proof):

H. 99. Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

Local Legislation No. 3.

Notice and Proof H. 99:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

Be It Enacted by the Legislature of Alabama:

Section 1 of Act 594, H. 1044, Regular Session 1939 (Local Acts 1939, p. 355), an act regulating the compensation of the Sheriff of Mobile County, as amended, is amended further to read as follows:

"Section 1. At the expiration of the term of the incumbent, the sheriff of Mobile County shall be paid twenty five thousand dollars (\$25,000 per annum as salary or compensation. Such sum shall be paid out of the County treasury of Mobile County, Alabama, in equal monthly installments at the end of each month, upon warrants drawn in the same manner as other officers and employees of Mobile County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Of-

rice Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 23, March 30, April 6, and April 13, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me April 16, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. Reid (R):

H. 100. To amend Code of Alabama 1940, Title 48, Section 79, which regulates appeals from final actions and orders of the Alabama Public Service Commission, relative to the time of hearing such appeals.

Judiciary.

By Mr. Collins:

H. 101. To provide for the re-examination of licensed drivers in Alabama once in each four years, and to provide the manner and extent of such re-examination.

State Administration.

By Mr. Collins:

H. 102. Relating to motor vehicles; further regulating the operation of vehicles upon the highways; prohibiting the operation thereon of unsafe vehicles; authorizing the director of public safety to provide for the making of inspections and tests of motor vehicles to detect defective equipment or other violation of laws governing the use of public highways by motor vehicles and the owners and operators of such vehicles; requiring drivers or operators of motor vehicles, when directed by a police officer to do so, to stop their vehicles and submit them to the inspection and tests hereby authorized; and to prescribe penalties.

Highway Safety.

By Mr. Collins:

H. 103. Providing that all low rent housing projects hereafter developed must be approved by a majority of the qualified electors of the city, town or county in which it is proposed.

State Administration.

By Mr. Collins:

H. 104. To amend Section 16, Title 50, Code of Alabama 1940. Relating to leasing of equipment and providing for a lien.

Judiciary.

By Mr. Collins:

H. 105. Providing for the creation of a lien on land and improvements in favor of those who furnish equipment for use in construction and improvements thereon.

Judiciary.

By Mr. Collins:

H. 106. Relating to the conversion of leased or rented personalty; prohibiting any disposition of such property by the lessee or renter which prevents a recovery thereof by the lessor at the expiration of the lease or under the terms of the rental agreement; repealing conflicting laws (Act No. 68, H. 73, approved June 3, 1953).

Judiciary.

By Mr. Collins:

H. 107. To replace the "Alabama Apartment Ownership Act" with a new statute establishing and regulating CONDOMINIUM developments, as regards definitions; the nature, ownership and rights to possession of condominium units, common elements and limited common elements; the establishment of condominium property and the contents and recordation of declarations and bylaws and the amendment thereof, deeds, mortgages and other instruments relating to units; the administration and management of condominiums; liability, civil actions and service of process by and against the condominium and its unit owners; the ascertainment and charging of expenses for common elements and limited common elements to unit owners; the assessment of taxes and other public charges to unit owners; liens for labor and materials for work on condominium property and individual units; the mortgaging of condominium property and individual units; the termination of the condominium form of ownership; statutory construction; severability of the statute and repeal of the present Alabama Apartment Ownership Act (Title 47, Sections 286-313).

State Administration.

By Mr. Collins:

H. 108. Relating to explosives; prohibiting the unlawful transportation and possession thereof; prohibiting the damage of property by explosives, and the threat to do such damage, and prescribing penalties for violation of this act.

Judiciary.

By Mr. Collins:

H. 109. To prohibit the obtaining of leased or rented personalty by fraud.

Judiciary.

By Mr. Gafford:

H. 110. Relating to crimes and offenses; amending further Section 420, Title 14, Code of Alabama 1940, which prohibits certain acts on Sunday.

State Administration.

By Mr. Gafford:

H. 111. Relating to counties having a population in excess of 600,000 inhabitants; providing that retail and wholesale automotive parts businesses, antique dealers, flea markets, gift shops or bowling alleys in such counties may operate on Sunday.

Local Legislation No. 2.

By Mr. Reed (T):

H. 112. To make appropriations for support and maintenance of the Tuskegee Institute, located in Macon County.

Education.

By Mr. Reed (T):

H. 113. To amend Sections 1 and 4 of Act No. 590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Ways and Means.

By Mr. Bank:

H. 114. To authorize and provide for the payment out of the general fund in the state treasury of a gratuity to each member of the armed services from this State who was a prisoner of war in Vietnam; to provide for the administration of this Act by the State Department of Veterans Affairs.

Ways and Means.

By Mr. Gray (F):

H. 115. To provide for minimum standards for the protection of prisoners, including the establishment of disciplinary and grievance procedures; to provide for a method of judicial relief for prisoners alleging abuses in violation of this act, and to provide the board of corrections with authority to establish rules and regulations pertaining to prison visits.

Public Welfare.

By Mr. King:

H. 116. To increase available funds for the financing of residential housing for persons and families of low and moderate income through the creation of a public corporation of the State with public and corporate powers to be known as the Alabama Housing Development Corporation; defining its duties, powers and responsibilities; authorizing the purchase by the Alabama Housing Development Corporation of existing mortgages from "mortgage lenders" within the state and authorizing loans by the Alabama Housing Development Corporation to "mortgage lenders", "housing sponsors" and persons and families of low and moderate income within the state for the purpose of furnishing and providing funds for new residential mortgages for persons and families of low and moderate income; authorizing the issuance of bonds and notes of the corporation to assist in the financing of

such housing and providing for the terms, security, payment and taxation thereof.

State Administration.

By Messrs. Turner and Cottingham (with notice and proof) :

H. 117. To authorize establishment of branch banks in Dallas County.

Local Legislation No. 1.

Notice and Proof H. 117:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize establishment of branch banks in Dallas County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank, either incorporated or unincorporated, whose principal place of business is located in Dallas County shall have the power to establish, to maintain, and to operate within the limits or boundaries of such county one or more branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business for the receipt of deposits, payment of checks, lending of money and the conduct of a general banking business, provided that such bank, before establishment of any such branch or branches, shall first secure the written consent of the State Superintendent of Banks or the Comptroller of the Currency, as the case may require.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned was Business Manager of the SELMA TIMES-JOURNAL, a newspaper of general circulation published in Dallas County, Alabama, and that the attached no-

tice was published in said newspaper once a week for 4 successive weeks, said notice having appeared in the issues of said paper on Jan. 14, Jan. 21, Jan. 28, and Feb. 4, all in the year 1973.

HENRY H. LLOYD.

Sworn to and subscribed before me this 5th day of February, 1973.

JOSEPHINE K. TIPTON,
Notary Public.

By Mrs. Wynot:

H. 118. To authorize and permit teachers who have retired under the Teachers' Retirement Act to perform duties in the Public Schools of Alabama when they are physically and mentally able to do so in the opinion of the employing authority, to prescribe the limitations therefor and to repeal Act No. 738 of the 1969 Regular Session of the Legislature.

Education.

By Mrs. Wynot:

H. 119. To provide for the retirement of teachers who are members of the Teachers' Retirement System of Alabama who have 30 years creditable service regardless of age and to modify all laws or parts of law in conflict with the provisions of this Act.

Ways and Means.

By Mrs. Wynot:

H. 120. To amend Section 367 of Title 52 of the Code of Alabama of 1940 as amended, to provide for the addition of one member of the Alabama Retired Teachers Association to the Board of Control of the Teachers' Retirement System and to provide other personnel as deemed necessary by the Board of Control.

State Administration.

By Mr. Jones (F):

H. 121. To further amend Section 52 of Title 48 of the Code of Alabama 1940, as amended, which relates to the rates and charges for services set by the Public Service Commission, so as to provide that the commission shall have the power to ex mero motu review at any time any previously established rates or charges for services to ascertain if they are reasonable and just as required by this section.

Commerce and Transportation.

By Mr. Hobbie:

H. 122. To amend Section 1 of Act No. 470, S. 182, 1969 Regular Session (Acts of 1969, p. 912), entitled "An Act To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies," so as to raise the amount provided for in said section.

Ways and Means.

By Mr. Connell (with notice and proof):

H. 123. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Taylor, Houston County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 123:

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Taylor, Houston County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Taylor in Houston County, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of said city, in addition to the lands now included, all of the following territory, to-wit:

Section 5, T2N, less the S $\frac{1}{2}$ of the SE $\frac{1}{4}$; all of Section 6, T2N, R26E; Section 7, T2N, less the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the E $\frac{1}{2}$ of the SE $\frac{1}{4}$; Section 8, T2N, R26E, less the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$; Section 17, T2N, R26E, less the W $\frac{1}{2}$ of the NW $\frac{1}{4}$; all of Section 18, T2N, R26E.

All of the above land lying, situated and being in Houston County, Alabama.

Section 2. All laws and parts of laws, general, special, and local, in conflict with this act be and the same are repealed.

Section 3. This act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, April 3, 10, 17, 24, in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office

where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 2nd day of August, 1972.

EUGENE S. McCLINTIC,
Notary Public.

By Mr. Taylor:

H. 124. To establish a system of regulation and control of surface mining, requiring registration, posting bond, and penalties for violation.

Commerce and Transportation.

By Mr. Jones (F):

H. 125. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Ways and Means.

By Mr. Jones (F):

H. 126. To establish a pension fund for Alabama fire fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

Insurance.

By Mr. Jones (F):

H. 127. Proposing an amendment to the Constitution of Alabama prescribing the salary of the Governor and certain elected officers of the State, including the Lieutenant Governor and members of the Legislature and authorizing the Governor to prescribe the compensation, within prescribed limits, of certain appointed officers and employees of the State.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Boutwell:

H. 128. A bill allowing an election by the surviving widow to receive the present value of her dower rights in lump sum form.

Judiciary.

REGULAR SESSION
1st Day

51

By Mr. King:

H. 129. To provide a formula for the allocation of the legislatively appropriated state funds for Community Mental Health Programs disbursed by the Alabama Mental Health Board.

Health.

By Mr. Erdreich:

H. 130. To provide for and regulate absentee voting in primary, general, special and municipal elections; prescribing penalties for violations of the Act; repealing conflicting laws and specifically repealing Act No. 424, H. 351, Regular Session 1949 (Acts 1949, p. 601) and all acts amendatory and supplemental thereto.

Constitution and Elections.

By Mr. Hobbie:

H. 131. Relating to the powers and duties of the Department of Public Safety; authorizing such department to issue identification cards to non-drivers; regulating the issuance of such identification cards and making further provisions relative to the issuance by such department of driver's licenses; providing for the development, installation and use of a system of color photographic driver license forms and non-driver identification cards.

State Administration.

By Mr. Carnes:

H. 132. To provide that a creditor is entitled to recover of a debtor a reasonable fee for the services of an attorney or attorneys of the creditor under certain circumstances.

Judiciary.

By Mr. Gray(F):

H. 133. To provide that each year the second Monday in January shall be deemed a state holiday in memory of Doctor Martin Luther King's birthday which is January 15th.

State Administration.

By Mr. Wood:

H. 134. To amend Code of Alabama 1940, Title 45, Section 145, providing for payment to sheriffs of the counties of the state for services incident to preparing and serving food of prisoners.

Public Welfare.

By Mr. Wood:

H. 135. To amend further Code of Alabama 1940, Title 45, Section 144, relating to the allowance for feeding prisoners.

Public Welfare.

By Mr. Hale:

H. 136. To provide for the Uniform Contribution Among Tortfeasors Act; to provide for the enforcement of such Act; and to repeal all conflicting laws.

Judiciary.

By Mr. Burgess:

H. 137. To exempt any non-profit public hospital in this State from paying any sales or use tax, or similar type tax.

Ways and Means.

By Mr. Hardin:

H. 138. To amend Section 464 of Title 51 of the Code of Alabama of 1940 relating to license tags for automobiles so as to abolish license tag provisions for automobile dealers.

Judiciary.

By Mr. Erdreich:

H. 139. Relating to public safety, requiring submission of proof of financial responsibility as a condition precedent to the registration or licensing of motor vehicles in Alabama and prescribing penalties.

Insurance.

By Mr. Reid (R):

H. 140. To exempt any person in the armed services on active duty from the requirement of purchasing a license to hunt or fish in this State.

Conservation.

By Mr. Hardin:

H. 141. To further amend Act No. 533, Acts of Alabama, 1957 Regular Session, page 750, entitled "An Act to create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the "Professional Foresters Fund," and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation," as amended by Act No. 141, Acts of Alabama, 1961 Special Session, page 2082, and by Act No. 1051, Acts of Alabama, 1969 Regular Session, page 1965.

Conservation.

By Messrs. Waggoner and McBride:

H. 142. To provide that school principals shall supervise the operation and management of schools under policies determined by local boards of edu-

cation and to assign school principals administrative responsibilities and the coordination of instructional leadership under the supervision of the local school superintendent and to provide that school principals shall have the right to submit to the superintendent recommendations on all personnel.

Education.

By Mr. Hale:

H. 143. To bar the sale or use of fireworks of any kind in this State, with the exception of supervised firework displays and certain safety uses; to prescribe the penalties for any violation of this Act; and to repeal all conflicting laws, including Act No. 391, S. 33, Regular Session 1955 (Acts 1955, p. 926).

Public Welfare.

By Messrs. Jones (E), Boles, Falkenburg, Doss, McBride and Ellis:

H. 144. To create an additional judgeship for the Tenth Judicial Circuit of Alabama; to provide for the election of an incumbent thereof; to prescribe the jurisdiction, powers, authority, qualifications, duties, and compensation of such incumbent, and to render such incumbent liable to all the pains and penalties of other Circuit Judges in the State, and to further provide for a division of authority and duties between judgeships in said Circuit.

Judiciary.

By Mr. Falkenburg (with notice and proof):

H. 145. To provide for the assessment, amount and use of additional taxes as court costs in all cases docketed in the Circuit Court in the Tenth Judicial Circuit.

Local Legislation No. 2.

Notice and Proof H. 145:

STATE OF ALABAMA
COUNTY OF JEFFERSON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

This bill levies an additional fee of \$2.00 for each case in the 10th Judicial Circuit to go into a "Court Administration Fund" and provides for the expenditure of said fund.

Section 6. This Act shall become effective on the first day of the first month next following its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared

ELEANOR ABERCROMBIE FOSTER

who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of March 24, 31, April 7, 14, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,

Publisher.

Sworn and subscribed to on this the 16th day of April, 1973.

KAREN W. ABERCROMBIE,

Notary Public.

By Mr. Falkenburg:

H. 146. To amend the title and Section 1 of Act No. 281, S. 217, Third Special Session 1971 (Acts 1971, p. 4556), providing supplemental salaries for supernumerary circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

Local Legislation No. 2.

By Mr. Falkenburg:

H. 147. To provide additional judges for the tenth judicial circuit of Alabama.

Judiciary.

By Mr. Falkenburg:

H. 148. To amend the title and Section 1 of Act No. 282, S. 218, Third Special Session 1971 (Acts 1971, p. 4556), fixing supplemental salaries of circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

Local Legislation No. 2.

By Mr. Falkenburg:

H. 149. To amend the title and Section 1 of Act No. 282, S. 218, Third Special Session 1971 (Acts 1971, p. 4556), fixing supplemental salaries of circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

Local Legislation No. 2.

By Mr. King:

H. 150. To amend Act No. 47, H. 29 of the Regular Session of 1951 (Acts of 1951, v. 1, p. 259), as amended, which is known as the Alabama G.

f. and Dependents' Educational Benefit Act, so as to provide for an extension of the time for initiating a course of instruction without the payment of tuition or fees for servicemen on active duty in the United States Armed Forces and stationed outside the State of Alabama during the period of his eligibility for benefits under this Act.

Ways and Means.

By Mr. Hale:

H. 151. To make it a misdemeanor for any person, firm, corporation or association to knowingly and willfully give false information to any law enforcement officer of this State who is investigating any accident or the commission of a crime and to provide for the punishment of same.

Judiciary.

By Mr. Hale:

H. 152. To provide that compensatory as well as punitive damages may be assessed in a civil action for the wrongful death of any person.

Insurance.

By Mr. Adwell:

H. 153. To provide that any person with an out-of-state driver's license in an automobile with out-of-state tags can have certain quantities of non state tax paid alcoholic beverages in his possession.

Public Welfare.

By Mr. Burgess:

H. 154. To amend further Act No. 382, H. 834, approved September 9, 1955, as last amended, an Act authorizing the director of the highway department to issue special permits for movement of certain oversize vehicles on public highways (Acts 1955, p. 916).

Highway Safety.

By Mrs. Wynot:

H. 155. Providing for the establishment, maintenance and administration of a motor vehicle accident claims fund for the payment of damages for injury to or death of certain persons or property damage arising out of the ownership, maintenance or use of motor vehicles in the state in certain cases; and to provide penalties for violation of this act.

Insurance.

By Mr. Grey (D):

H. 156. To alter, rearrange and extend the corporate limits of the Town of Detroit, Lamar County, Alabama.

Local Legislation No. 1.

By Mr. May:

H. 157. To authorize, provide for and to regulate certain pay raises for those employees of the state who did not receive the cost of living pay raise

granted to other state employees effective February 14, 1973, and to those employees who did not receive annual raises at the proper time in the current fiscal year because of lack of funds; to place certain duties relative to such raises on the head of each state department, board, bureau or agency having employees eligible for such raises, on the director of the state personnel department and on the state comptroller; to provide that such raises shall be retroactive and payable in one lump sum; and to make an appropriation out of the general fund for such raises.

Ways and Means.

By Mr. Adwell:

H. 158. To regulate further the power and authority of municipalities in counties having populations of 500,000 or more relative to the levy, imposition, assessment or collection of licenses, excises, taxes or other fees on the possession, sale, distribution and use of malt or brewed beverages or of tobacco products within their police jurisdiction, but outside their corporate limits.

Local Legislation No. 2.

By Mr. Adwell:

H. 159. To amend further Code of Alabama 1940, Title 37, Section 733, as amended, which grants cities and towns within the state the authority to fix and collect licenses for any business, trade or profession done within the police jurisdiction but outside their corporate limits, so as to withdraw such power from cities and towns within counties having populations of more than 500,000 and vest in such cities and towns in lieu thereof the power to fix and collect, by contract, reasonable fees for each particular governmental service rendered to a business, trade or profession located within such area.

Local Legislation No. 2.

By Mr. King:

H. 160. To amend sections 3 and 4 of Act No. 652, S. B. 129, Regular Session 1949, (Acts 1949, p. 1006), so to further regulate the operation of motor driven cycles on highways.

Judiciary.

By Mr. Adwell:

H. 161. To amend Code of Alabama 1940, Title 29, Section 34, so as to authorize the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in any wet county.

Commerce and Transportation.

By Mr. Gray (F):

H. 162. To repeal that portion of any statute which requires segregation of the races or which discriminates against any person because of race.

State Administration.

By Mr. Gray (F):

H. 163. Providing further for admission of certain lawyers from other states to practice in Alabama provided said lawyers meet certain requirements.

Judiciary.

By Mr. Gray (F):

H. 164. Proposing an amendment to the Constitution of Alabama which will repeal Amendment No. 132 of the Constitution of Alabama of 1901 which provided for altering the boundaries, reducing the area or abolishing Macon County.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Gray (F):

H. 165. To propose an amendment to the Constitution relative to making persons over eighteen years of age adults.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Gray (F):

H. 166. To amend further Code of Alabama 1940, Title 51, Section 15, relating to the exemption of homesteads from state ad valorem taxes, so as to remove the limitation as to value and area of the exemption for persons over sixty-five years of age.

Ways and Means.

By Messrs. Cottingham and Turner:

H. 167. Relating to elections and voting in them; providing for the use of electronic voting systems in elections; providing the requirements for these systems; providing that procedures to be used in connection with elections in which these systems are used, including additional procedures for dividing precincts and designating voting places therein; providing election officers for such polling places and prescribing duties and compensation of such election officials.

Constitution and Elections.

By Mr. Ellis:

H. 168. To provide for the creation of the Alabama Product Development Corporation for the purpose of promoting industrial and commercial growth of this state by providing state financial assistance for the development and marketing of innovations and inventions, or products resulting therefrom, resulting in increased industry and public revenues; to provide for the appointment of the directors of the corporation and for their qualifications, terms, duties and authority; to provide for the procedure of incorporation and for the corporation's functions and powers; to authorize the corporation to issue its revenue bonds not exceeding \$10 million in aggregate principle amount and to provide for the details respecting such bonds; to authorize the corporation to charge certain fees, to enter into contracts and agreements and to pledge certain funds accruing therefrom to the retirement of its bonds; to exempt such bonds and all income therefrom from all state taxes; and to

appropriate funds for contracts, for evaluation, research and development of inventions and new technology and products.

Ways and Means.

By Mr. Connell:

H. 169. To amend Title 48, Section 462, Code of Alabama 1940, which relates to unlawful riding on trains and busses, so as to increase the penalty therefor.

Judiciary.

By Mr. Connell (with notice and proof):

H. 170. To amend Sections 4 and 5 of Act No. 196, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of the said 20th Judicial Circuit, Place No. 2; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of the said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1969, Volume 1, Page 259).

Local Legislation No. 1.

Notice and Proof H. 170:

NOTICE OF PROPOSED LOCAL LEGISLATION

STATE OF ALABAMA COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To amend Sections 4 and 5 of Act No. 196, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of the said 20th Judicial Circuit, Place No. 2; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of the said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1969, Volume 1, Page 259)

Be It Enacted by the Legislature of Alabama:

Section 1. That sections 4 and 5 of Act No. 196, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of the said 20th Judicial Circuit, Place No. 2; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of the said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1969, Volume 1, Page 259), approved May 14, 1969, be, and the same is, hereby amended to read as follows:

1st Day

"Section 4. The said Clerk-Secretary to the Circuit Judge of the 20th Judicial Circuit of Alabama, Place No. 2, shall receive a salary to be fixed and determined by said Judge, not to exceed the sum of Seven Thousand Two Hundred Dollars per annum, which shall be payable in monthly installments out of the general fund of the counties composing said 20th Judicial Circuit of Alabama, each county to pay it pro rata of such salary, based upon the assessed value of all taxable property of such county or counties for the preceding year, on certificate issued by the Circuit Judge in favor of such Clerk-Secretary.

Section 5. This Act shall become effective on the 1st day of the month following its passage and approval by the Governor or upon its otherwise becoming a law."

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 consecutive weeks, 3-1, 8, 15, 22-73 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 29th day of March, 1973.

EUGENE S. McCLINTIC,
Notary Public.

NOTICE OF PROPOSED
LOCAL LEGISLATION

STATE OF ALABAMA
HENRY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To amend Sections 4 and 5 of Act No. 196, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of the said 20th Judicial Circuit, Place No. 2; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of the said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama."(Acts of the Legislature of Alabama, 1969, Volume 1, Page 259)

Be It Enacted by the Legislature of Alabama:

Section 1. That sections 4 and 5 of Act No. 196, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of the said 20th Judicial Circuit, Place No. 2; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of the said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1969, Volume 1, Page 259), approved May 14th, 1969, be, and the same is, hereby amended to read as follows:

"Section 4. The said Clerk-Secretary to the Circuit Judge of the 20th Judicial Circuit of Alabama, Place No. 2, shall receive a salary to be fixed and determined by said Judge, not to exceed the sum of Seven Thousand Two Hundred Dollars per annum, which shall be payable in monthly installments out of the general fund of the counties composing said 20th Judicial Circuit of Alabama, each county to pay it pro rata of such salary, based upon the assessed value of all taxable property of such county or counties for the preceding year, on certificate issued by the Circuit Judge in favor of such Clerk-Secretary.

Section 5. This Act shall become effective on the 1st day of the month following its passage and approval by the Governor or upon its otherwise becoming a law."

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA HENRY COUNTY

Before me, Ann Marshall Pebbles, a Notary Public in and for said County, in said State, personally appeared Nathalie S. Dodd, who is known to me, and who by me being duly sworn, deposes and says that she is the co-publisher of The Abbeville Herald, a newspaper published in the town of Abbeville, County of Henry, State of Alabama; that the attached notice is a true and correct copy of the notice which was published in said newspaper for four consecutive weeks, on, to-wit: March 1, 8, 15 and 22, 1973, The Abbeville Herald

By NATHALIE S. DODD.

Sworn to and subscribed before me, this 23rd day of March, 1973.

ANN MARSHALL PEBBLES,
Notary Public.

By Mr. Connell (with notice and proof):

H. 171. To further amend Sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume 1, Page 735, and as amended by Act No. 199 of the Acts of the Legislature of Alabama, 1967, Volume 1, Page 564).

Local Legislation No. 1.

Notice and Proof H. 171:

NOTICE OF PROPOSED
LOCAL LEGISLATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To further amend Sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume 1, Page 735, and as amended by Act No. 199 of the Acts of the Legislature of Alabama, 1967, Volume 1, Page 564).

Be It Enacted by the Legislature of Alabama:

Section 1. That sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary of the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume 1, Page 735, and as amended by Act No. 199 of the Acts of the Legislature of Alabama, 1967, Volume 1, Page 564), approved September 30th, 1959, and amendment approved August 8th, 1967, be, and the same is, hereby further amended to read as follows:

"Section 4. The said Clerk-Secretary to the Circuit Judge of the 20th Judicial Circuit of Alabama shall receive a salary to be fixed and determined by said Judge, not to exceed the sum of Seven Thousand Two Hundred Dollars per annum, which shall be payable in monthly installments out of the general fund of the counties composing said 20th Judicial Circuit of Alabama, each county to pay its pro rate of such salary, based upon the assessed value of all taxable property of such county or counties for the preceding year, on certificate issued by the Judge of the Court in favor of such Clerk-Secretary.

Section 5. This Act shall become effective on the 1st day of the month following its passage and approval by the Governor or upon its otherwise becoming a law."

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and

1st Day

who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, March 1, 8, 15, 22nd 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 29th day of March, 1973.

EUGENE S. McCLINTIC,
Notary Public.

NOTICE OF PROPOSED
LOCAL LEGISLATION

STATE OF ALABAMA
COUNTY OF HENRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To further amend Sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume 1, Page 735, and as amended by Act No. 199 of the Acts of the Legislature of Alabama, 1967, Volume 1, Page 564)

Be It Enacted by the Legislature of Alabama:

Section 1. That Sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume 1, Page 735, and as amended by Act No. 199 of the Acts of the Legislature of Alabama, 1967, Volume 1, Page 564), approved September 30th, 1959, and amendment approved August 8th, 1967, be, and the same is, hereby further amended to read as follows:

"Section 4. The said Clerk-Secretary to the Circuit Judge of the 20th Judicial Circuit of Alabama shall receive a salary to be fixed and determined by said Judge, not to exceed the sum of Seven Thousand and Two Hundred Dollars per annum, which shall be payable in monthly installments out of the

general fund of the counties composing said 20th Judicial Circuit of Alabama, each county to pay its pro rata of such salary, based upon the assessed value of all taxable property of such county or counties for the preceding year, on certificate issued by the Judge of the Court in favor of such Clerk-Secretary.

Section 5. This Act shall become effective on the 1st day of the month following its passage and approval by the Governor or upon its otherwise becoming a law."

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
HENRY COUNTY

Before me, Ann Marshall Peebles, a Notary Public in and for said County, in said State, personally appeared Nathalie S. Dodd, who is known to me, and who by me being duly sworn, deposes and says that she is the co-publisher of The Abbeville Herald, a newspaper published in the town of Abbeville, County of Henry, State of Alabama; that the attached notice is a true and correct copy of the notice which was published in said newspaper for four consecutive weeks, on, to-wit: March 1, 8, 15, and 22nd, 1973, The Abbeville Herald.

NATHALIE S. DODD.

Sworn to and subscribed before me, this 23rd day of March, 1973.

ANN MARSHALL PEEBLES,
Notary Public.

By Mr. Connell (with notice and proof):

H. 172. To further amend Sections 4 and 5 of Act No. 201, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Solicitor of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1963, Volume 1, Page 599, and as amended by Act No. 197 of the Acts of the Legislature of Alabama, 1969, Volume 1, Page 260).

Local Legislation No. 1.

Notice and Proof H. 172:

NOTICE OF PROPOSED
LOCAL LEGISLATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To further amend Sections 4 and 5 of Act No. 201, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary

1st Day

to the Circuit Solicitor of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1963, Volume 1, Page 599, and as amended by Act No. 197 of the Acts of the Legislature of Alabama, 1969, Volume 1, Page 260).

Be It Enacted by the Legislature of Alabama:

Section 1. That sections 4 and 5 of Act No. 201, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Solicitor of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1963, Volume 1, Page 599, and as amended by Act No. 197 of the Acts of the Legislature of Alabama, 1969, Volume 1, Page 260), approved July 25th, 1963, and amendment approved May 14th, 1969, be, and the same is, hereby further amended to read as follows:

"Section 4. The said clerk-Secretary to the District Attorney of the 20th Judicial Circuit of Alabama shall receive a salary to be fixed and determined by said District Attorney, not to exceed the sum of Seven Thousand Two Hundred Dollars per annum, which shall be payable in monthly installments out of the general fund of the counties composing said 20th Judicial Circuit of Alabama, each county to pay its pro rata of such salary, based upon the assessed value of all taxable property of such county or counties for the preceding year, on certificate issued by the District Attorney of the 20th Judicial Circuit of Alabama in favor of such Clerk-Secretary.

Section 5. This Act shall become effective on the 1st day of the month following its passage and approval by the Governor or upon its otherwise becoming a law."

**STATE OF ALABAMA
HOUSTON COUNTY**

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, March 1, 8, 15, and 22nd, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 29th. day of March, 1973.

**EUGENE S. McCLINTIC,
Notary Public.**

NOTICE OF PROPOSED
LOCAL LEGISLATION

STATE OF ALABAMA
COUNTY OF HENRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To further amend Sections 4 and 5 of Act No. 201, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Solicitor of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1963, Volume 1, Page 599, and as amended by Act No. 197 of the Acts of the Legislature of Alabama, 1969, Volume 1, Page 260).

Be It Enacted by the Legislature of Alabama:

Section 1. That sections 4 and 5 of Act No. 201, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Solicitor of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1963, Volume 1, Page 599, and as amended by Act No. 197 of the Acts of the Legislature of Alabama, 1969, Volume 1, Page 260), approved July 25th, 1963, and amendment approved May 14th, 1969, be, and the same is, hereby further amended to read as follows:

"Section 4. The said Clerk-Secretary to the District Attorney of the 20th Judicial Circuit of Alabama shall receive a salary to be fixed and determined by said District Attorney, not to exceed the sum of Seven Thousand Two Hundred Dollars per annum, which shall be payable in monthly installments out of the general fund of the counties composing said 20th Judicial Circuit of Alabama, each county to pay its pro rata of such salary, based upon the assessed value of all taxable property of such county or counties for the preceding year, on certificate issued by the District Attorney of the 20th Judicial Circuit of Alabama in favor of such Clerk-Secretary.

Section 5. This Act shall become effective on the 1st day of the month following its passage and approval by the Governor or upon its otherwise becoming a law."

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
HENRY COUNTY

Before me, Ann Marshall Peebles, a Notary Public in and for said County, in said State, personally appeared Nathalie S. Dodd, who is known to

me, and who by me being duly sworn, deposes and says that she is the co-publisher of The Abbeville Herald, a newspaper published in the town of Abbeville, County of Henry, State of Alabama; that the attached notice is a true and correct copy of the notice which was published in said newspaper for four consecutive weeks, on, to-wit: March 1, 8, 15, and 22nd, 1973. The Abbeville Herald.

NATHALIE S. DODD.

Sworn to and subscribed before me, this 23rd. day of March, 1973.

ANN MARSHALL PEEBLES,
Notary Public.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Bank:

H. 173. Relating to corrupt practices in connection with elections; amending Code of Alabama 1940, Title 17, Section 277, so as to regulate further campaign contributions; to require certain contributors, donors or subscribers of money or services to file with the Secretary of State sworn statements relative to the amount or value of a contribution, donation or subscription and the time of payment or delivery thereof; and to declare that failure to file such sworn statement is a corrupt practice.

Constitution and Elections.

By Mr. Collins:

H. 174. Relating to education, providing for high school instruction in the free enterprise system.

Education.

By Messrs. Ellis, Drake and St. John:

H. 175. To exempt all income received under any public school teacher's retirement system from being subject to Alabama State Income Tax.

Ways and Means.

By Messrs. Drake and St. John:

H. 176. To amend the title and Sections 1 and 4 of Act No. 1134, S. 519, Regular Session 1969 (Acts 1969, p. 2099), which act provides for certain school lunchroom managers and assistant managers to become members of the Teachers' Retirement System of Alabama and to receive the benefits therefrom, subject to certain conditions, and which appropriates certain funds to carry out the provisions of said act; so as to include all regularly employed workers in school lunchrooms within the provisions of said act, and to provide an additional appropriation for the purposes of carrying out the provisions of this act.

Ways and Means.

By Messrs. Drake and St. John:

H. 177. To further identify years of creditable service for retirement purposes under the State Employees' Retirement System; and to make an appropriation for the purpose of paying the employer's contribution for such service.

Ways and Means.

By Messrs. St. John and Drake (with notice and proof):

H. 178. To authorize the Cullman County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Local Legislation No. 1.

Notice and Proof H. 178:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Enrolled, An Act, To authorize the Cullman County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost, thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Be It Enacted by the Legislature of Alabama:

Section 1. The county governing body of Cullman County is authorized, when the need exist, to provide protection against forest fires in Cullman County by participating in the Alabama Forestry Commission's fire protection program in the manner hereinafter specified.

Section 2. (a) After the Cullman County Governing body has determined that such a need does exist in Cullman County, the county governing body may, in the manner hereinafter specified, provide for a financial charge or tax to be paid by the owners of forest lands located in Cullman County for the use of the land for timber growing purposes amounting to the whole or any part of the cost of such fire protection program, but not in excess of five cents per acre, provided such financial charge or tax is not greater than the benefit accruing to such forest lands due to the availability of such fire protection.

(b) "Forest lands" as used in this Act, shall mean any land which supports a forest growth or which under prevailing natural and economic condi-

tions may be expected to support such a growth in the future, or which is being used or reserved for any forest purpose. "Forest lands" as used in this Act, shall not include any lands primarily used for residential purposes nor shall it include any publicly owned lands.

Section 3. The need for such a financial charge or tax to provide forest fire protection within the county shall be determined by the county governing body after a public hearing is held thereon. Notice of such public hearing shall be given by the county governing body for a period of two consecutive weeks by advertisement in a newspaper of general circulation in Cullman County. Such advertisement must indicate the date, time, and place of the hearing, the manner proposed to finance such fire protection program, and the part of the cost of such program that is proposed to be paid by the owners of forest lands. Any person owning forest land in Cullman County may appear in person or by attorney at such time and place and make defense against such financial charge or tax or the amount thereof. After such hearing the county governing body shall determine the amount of such financial charge or tax and enter on the minutes of the governing body an order fixing such financial charge or tax.

Section 4. Any such financial charge or tax fixed as provided in the above section shall be payable at the same time and in the same manner as county taxes and the owners of the forest lands, as here in defined, shall make report of same to the tax assessor of Cullman County at the time fixed by law for making return of the property of such property owner. Financial charges or taxes levied shall constitute a lien on the property against which they are charged or taxed in case of default in the payment of such financial charge or tax the land may be sold in the same manner and under the same conditions that lands are sold for the satisfaction of liens for county ad valorem taxes and redemption from such sale may be effected in the same manner as is provided by law for redemption where land is sold for non payment of ad valorem taxes.

Section 5. The county governing body of Cullman County is authorized to appoint agents and delegate authority to individual to search out forest lands in Cullman County, determine the area and owners thereof, and report same to the Tax Assessor of Cullman County who shall be authorized, after notice by certified mail to such owners, and hearing before the county governing body if so requested by such owners, to place said financial charge or tax against said forest lands as may be determined by the report of such agents or the determination of said county governing body.

Section 6. All monies accruing to Cullman County shall be placed in the General Fund of the county and shall only be spent by the county governing body in participating in the Alabama Forestry Commissions' forest fire protection program in Cullman County.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise become a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mark Miller, who, being by me first duly

sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 10, 17, 24, and March 2, all in the year 1972.

MARK MILLER.

Sworn to and subscribed before me March 2, 1972.

CHARLOTTE MILLER,
Notary Public.

By Messrs. St. John and Drake (with notice and proof) :

H. 179. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Cullman County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Local Legislation No. 1.

Notice and Proof H. 179:

A BILL
TO BE ENTITLED
AN ACT

To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Cullman County; to prescribe the fees of such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person, firm, or corporation desiring to operate a hunting or shooting preserve in Cullman County on which artificially propagated birds may be hunted, taken, captured, killed, or otherwise recovered, may do so upon obtaining a hunting preserve license and complying with the provisions of this Act and all rules and regulations prescribed by the commissioner of conservation governing the operation of hunting preserves.

Section 2. Each hunting preserve shall contain a minimum of 100 acres in one tract of leased or owned land, including water area, if any, and shall be restricted to not more than 2,000 contiguous acres including water, if any. The exterior boundaries of each hunting preserve shall be bordered by a single strand of wire or such fence as is acceptable to the state commissioner of conservation, except where rivers, creeks, roads, or other clearly defined demarcations or delineations, acceptable to the commissioner of conservation, form the boundary or a part thereof. Signs shall be erected at intervals of not less than 150 feet around the perimeter of the tract. At the top of each sign shall appear in letters not less than 2 inches high the words, "LICENSED HUNTING PRESERVE," and such other words as the commissioner of conservation may prescribe. No hunting preserve shall be located within one mile

of any other such preserve or within one mile of any management area or refuge existing under state or federal law or regulations at the time of the establishment of such hunting preserve. No license shall be issued for any hunting preserve on which the shooting of turkeys is authorized.

Section 3. Game which may be hunted on a preserve licensed under this Act shall be artificially propagated bob-white quail, coturnix quail, pheasants, chuckar partridge, and such other species of fowl as the commissioner of conservation may designate. A minimum stock of at least 1,000 bob-white quail, if bob-white quail are to be hunted on the preserve, and a minimum stock of 200 of each of the other species of birds, listed above, to be hunted on a licensed preserve shall be released on the licensed hunting area during each hunting season.

Section 4. The privilege license or permit fee for operating a hunting preserve shall be \$25 per year for the first 100 acres of hunting preserve area plus \$5 per year for each additional 100 acres or part thereof. Any person who desires to operate such a hunting preserve shall first file a request with a local state game warden, or with the state department of conservation and natural resources, to have the tract which he proposes to use as a hunting preserve inspected, and if it meets the requirements of this Act and the rules and regulations of the department of conservation and natural resources he shall have a permit issued to him to procure a license to operate such hunting preserve. Upon presentation to the judge of the probate of the county in which the preserve is located of a permit from the department of conservation and natural resources, dated not more than thirty days prior to its presentation, accompanied by the proper license fee prescribed in this section and an issuance fee of fifty cents, the judge of probate of any county to which this Act applies shall issue a privilege license to operate a hunting preserve to the applicant. Privilege licenses to operate hunting preserves shall be issued on forms prescribed by the commissioner of conservation and furnished by him to the judges of probate. All fees collected by the judges of probate for issuing hunting preserve licenses shall be remitted at the same time and in the same manner that hunting and fishing license fees are remitted and shall be paid into the game and fish fund of the state department of conservation and natural resources.

Section 5. The holder of a license issued pursuant to this Act, his guest, and patrons may hunt, take, capture, kill, or otherwise recover during the year no more than 80 per cent of the total number of each species of birds released on the preserve during such year. The season during which each species of birds may be hunted, taken, captured, killed, or otherwise recovered on such preserve and the bag limits shall be prescribed by the state commissioner of conservation; but in no event shall the season be longer than six months, nor shall it begin before October 1, nor extend later than March 31 of any year.

Section 6. Bob-white quail and coturnix quail shall be tagged with a self-sealing tag prior to being released on the preserve. The operators of hunting preserves shall cooperate in other requests which the commissioner of conservation might make for scientific investigations. The Alabama Department of Conservation and Natural Resources shall specify tags which hunting preserve operators shall use, the tags to be numbered consecutively, dated by year of issuance, and carry the operator's license number.

1st Day

Section 7. Each hunting preserve operator shall maintain a register and record therein the names, addresses, hunting license numbers, the date on which each hunted, and the amount and species of game taken by each hunter. An accurate record by species shall also be maintained of the total number of birds raised on the preserve or purchased, and the number of each species released thereon each year. These records shall be open to inspection by any duly authorized representative of the state department of conservation and natural resources at any reasonable time, and shall be the basis upon which the bag limits and hunting seasons in Section 6 hereof shall be determined.

Section 8. Alabama hunting licenses shall be required of all persons hunting on licensed hunting preserves. Alabama residents shall be licensed under the regularly established game laws. Each non-resident hunting on a licensed preserve shall be required to possess a regular non-resident annual hunting license or a non-resident trip hunting license.

Section 9. Duly authorized agents of the state department of conservation and natural resources, game wardens, and other law enforcement officers duly authorized to enforce game and fish laws shall have authority to enforce all game and fish laws and regulations on such preserves; and for such purposes are authorized to enter and inspect licensed hunting preserves. Violations of game and fish laws and regulations on such hunting preserves either by the owner, guests, or patrons of such preserves shall be grounds for revocation of the hunting preserve license; and the commissioner of conservation may immediately revoke a hunting preserve license upon proof that any such violations have occurred thereon.

Section 10. Any person, firm, or corporation who operates a licensed hunting preserve in violation of any provision of this Act or a duly promulgated rule of the commissioner of conservation relative to the operation thereof shall be guilty of a misdemeanor; and upon conviction shall be punished by a fine of not less than \$50 nor more than \$500 and at the discretion of the court may also be imprisoned for a period of not more than six months for each offense.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mark Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in

said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 15, 22, 29, and April 5, all in the year 1973.

MARK MILLER.

Sworn to and subscribed before me April 26, 1973.

CHARLOTTE MILLER,

Notary Public.

By Messrs. St. John and Drake (with notice and proof):

H. 180. Relating to Cullman County; levying in such county additional special county privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session of 1959 (Acts 1959, p. 298), as amended or supplemented, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of this Act by the State Department of Revenue; prescribing penalties and fixing punishment for violations of this Act; and forbidding municipalities in Cullman County to levy municipal sales and use taxes; and repealing ordinances heretofore adopted levying such municipal sales and use taxes.

Local Legislation No. 1.

Notice and Proof H. 180:

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cullman County; levying in such county additional special county privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session of 1959 (Acts 1959, p. 298,) as amended or supplemented, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of this Act by the State Department of Revenue; prescribing penalties and fixing punishment for violations of this Act; and forbidding municipalities in Cullman County to levy municipal sales and use taxes; and repealing ordinances heretofore adopted levying such municipal sales and use taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. All words, terms, and phrases that are defined in the State Sales Tax Act (Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended or supplemented, and in the State Use Tax Act (Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended or supplemented) shall, where used in this Act, have the meanings respectively as-

cribed to them in said Act No. 100 and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as heretofore amended or supplemented, except where the context herein clearly indicates a different meaning. In addition the following words, terms, and phrases where used in this Act shall have the following respective meanings except where the context clearly indicates a different meaning:

"State sales tax statutes" means Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), which levies a retail sales tax for state purposes, and includes all statutes, including amendments to said Act No. 100, which expressly set forth any exemptions from the computation of the tax levied in said Act No. 100 and all other statutes which expressly apply to, or purport to affect, the administration of said Act and the incidence and collection of the tax imposed therein;

"State sales tax" means the tax imposed by the state sales tax statutes;

"State use tax statutes" means Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended or supplemented, including all statutes which expressly set forth any exemptions from the computation of the tax levied in said Article 11 and all other statutes which expressly apply to or purport to affect the administration of the said article and the incidence and collection of the tax imposed therein:

"State use tax" means the tax imposed by the state use tax statutes;

"Registered seller" means the person registered with the State Department of Revenue pursuant to the state use tax statutes or licensed under the state sales tax statutes;

"Month" means the calendar month;

"Quarterly period" means the period of three months ending on the last day of each March, June, September, and December;

"Fiscal year" means the period commencing on October 1 of each calendar year and ending on September 30 of the next succeeding calendar year.

Section 2. There are hereby levied and imposed in Cullman County, in addition to all other taxes, except municipal sales and use taxes of every kind now imposed by law, special county privilege license and excise taxes, paralleling state sales and use taxes, to be determined by the application of rates against gross sales or gross receipts, as the case may be, as follows:

1. Upon every person, firm, or corporation (not including the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC stores) engaged or continuing within Cullman County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, (not including however, bonds or other evidence of debt or stocks), an amount equal to one percent of the gross proceeds of sales of the business. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified when his books are kept, so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business.

2. Upon every person, firm, or corporation engaged or continuing within Cullman County in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state county, or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within Cullman County, an amount equal to one percent of the gross receipts of any such business.

3. Upon every person, firm, or corporation engaged or continuing within Cullman County in the business of selling at retail machines or machinery used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, and the parts of such machines or machinery, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines, and which are customarily so used, an amount equal to one-half of one percent of the gross proceeds of the sale of such machines, attachments, parts and replacements therefor.

4. Upon every person, firm or corporation engaged or continuing within Cullman County in the business of selling at retail any automotive vehicle or truck trailer, and semi-trailer, an amount equal to one-half of one percent of the gross proceeds of sale of said automotive vehicle or truck trailer and semi-trailer, provided, that where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle in trade.

5. An excise tax on the storage, use, or other consumption in Cullman County of tangible personal property purchased at retail for storage, use or other consumption in Cullman County, at the rate of one percent of the sale price of such property, regardless of whether the retailer is or is not engaged in business in Cullman County or in this State, except as provided in subsections 6 and 7 of this section.

6. An excise tax on the storage, use or other consumption in Cullman County of any automotive vehicle, truck trailer, or semi-trailer purchased at retail for storage, use or other consumption in Cullman County at the rate of one-half of one percent of the sales price of such automotive vehicle, truck trailer or semi-trailer. Where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied shall be paid on the net difference, that is, the difference in the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

7. An excise tax is hereby imposed on the storage, use or other consumption in Cullman County of any machines or machinery used in mining, quarrying, compounding, processing, and manufacturing of tangible personal

1st Day

property, including parts of such machines or machinery, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines, purchased at retail for storage, use or other consumption in Cullman County at the rate of one-half of one percent of the sales price of any such machine or the parts, attachments or replacements therefor.

8. There are exempted however, from the provisions of this section and from the computation of the amount of the tax imposed in this section the gross receipts of any business and the gross proceeds of all sales which are presently exempted under the state sales tax statutes from the computation of the amount of the state sales tax. There are also exempted from the provisions of this section and the tax imposed by this section the storage, use, or other consumption of property the storage, use, or other consumption of which is presently exempted under the state use tax statutes from the state use tax. Subject to these exemptions, every person storing or using or otherwise consuming in Cullman County tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the tax has been paid by such person; provided, however, that a receipt from a registered seller given pursuant to Section 4 of this Act to the purchaser of any property to be used, stored, or consumed in Cullman County shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 3. The sales taxes levied in Section 2 shall be due and payable in monthly installments on or before the twentieth day of the month next succeeding the month in which the tax accrues; and the use taxes levied in Section 2 shall be due and payable quarterly on or before the twentieth day of the month next succeeding each quarterly period during which the storage, use, or other consumption of the tangible personal property became taxable hereunder, each such quarterly period to end on the last day of each of the months of March, June, September, and December. All taxes levied in this Act shall be paid to and collected by the State Department of Revenue at the same time and along with the collection of the state sales tax and the state use tax. On or prior to the due dates of the taxes herein levied each person subject to such taxes shall file with the State Department of Revenue a report or return in such form as may be prescribed by the department, setting forth, with respect to all sales and business that are required to be used as a measure of the tax levied, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business and setting forth, with respect to the use tax levied, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax during the then preceding quarterly period. Such report shall include also such other items of information pertinent to the said taxes and the amount thereof as the State Department of Revenue may require. Any person subject to the taxes levied may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the State Department of Revenue under this section shall be available for inspection by the Cullman County governing body, or its designated agent, at reasonable times during business hours.

Section 4. Every registered seller making sales of tangible personal property for storage, use, or other consumption in Cullman County (which

storage, use, or other consumption is not exempted from the tax imposed) shall at the time of making such sale or if the storage, use, or other consumption of such tangible personal property in Cullman County is not then taxable under this Act, at the time such storage, use, or other consumption becomes taxable hereunder, collect the tax from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the State Department of Revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 3 hereof, each registered seller shall file with the State Department of Revenue a return for the preceding quarterly period in such form as may be prescribed by the department showing the total sales of the tangible personal property sold by such registered seller, the storage, use, or other consumption of which became subject to the tax imposed during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax required to be collected by such registered seller during the period covered by the return; provided that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period, and shall remit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in Cullman County need not file a report or make any further payment of the said tax, but each person who purchases tangible personal property the storage, use or other consumption of which is subject to the tax imposed, and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 3.

Section 5. Each person engaging or continuing within Cullman County in a business subject to the taxes levied in Section 2, shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required to collect. It shall be unlawful for any person subject to the tax levied to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of said tax or any portion thereof.

Section 6. The taxes imposed by this Act shall constitute a debt due Cullman County and may be collected by civil suit, in addition to all other methods provided by law and in this Act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All of the provisions of the revenue laws of this State which apply to the enforcement of liens for license taxes due this State

shall apply fully to the collection of the taxes herein levied, and the State Department of Revenue, for the use and benefit of Cullman County shall collect such taxes and enforce this Act and shall have and exercise for such collection and enforcement all rights and remedies that this State or the department has for collection of the state sales tax and the state use tax. The State Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this Act, and to otherwise enforce the provisions of this Act, including any litigation involving this Act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Cullman County.

Section 7. All provisions of the state sales tax statutes with respect to payment, assessment, and collection of the state sales tax, making of reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay the tax, make reports or otherwise comply with the state sales tax statutes, the promulgation of rules and regulations with respect to the state sales tax, and the administration and enforcement of the state sales tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied in Section 2 shall apply to the county tax levied; and all provisions of the state use tax statutes with respect to payment, assessment and collection of the state use tax, making quarterly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state use tax statutes, the promulgation of rules and regulations with respect to the state use tax and the administration and enforcement of the state use tax statutes, which are not inconsistent with the provisions of this Act when applied to the county use tax levied shall apply to the county tax. The State Commissioner of Revenue and the State Department of Revenue shall have and exercise the same powers, duties and obligations with respect to the county taxes levied that are imposed on the commissioner and the department, respectively, by the state sales tax statutes and the state use tax statutes. All provisions of the state sales tax statutes and the state use tax statutes that are made applicable by this Act to the county taxes levied and to the administration of this Act are incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 8. The State Department of Revenue shall charge Cullman County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the Commissioner of Revenue and the county commission or like governing body of the county, but such charge shall not, in any event, exceed ten percent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Cullman County for that month. The Commissioner of Revenue shall pay into the state treasury all taxes collected under this Act, as such taxes are received by the Department of Revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collection hereunder) the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Cullman County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of

Cullman County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty for the comptroller to issue his warrant each month payable to the county treasurer of Cullman County in his official capacity in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county.

Section 9. Annually for twenty-five years after this tax is levied the first two hundred seventy-five thousand dollars (\$275,000) of the proceeds derived from the tax shall be paid to the Cullman County Hospital Board to be used by such board for capital improvements of the hospital located in the City of Cullman which is owned by the Cullman County Hospital Board, Incorporated. The term "capital improvements" shall include, but shall not be limited to, the following: the cost of improvement and renovations, enlargements and additions; the purchase of real estate for such enlargements or additions; all other expenses reasonably incurred in expanding the hospital, acquiring, constructing and furnishing such improvements, additions and enlargements; and the repayment of debts incurred therefor with interest thereon, whether such debts are evidenced by notes, bonds or other instruments, and for the creation of a sinking fund therefor. It is specifically provided, however, that no part of the proceeds of this tax shall be used for general operating expenses of the hospital.

After the above-mentioned two hundred seventy-five thousand dollars (\$275,000) has been deducted and only during the first year that the tax hereby levied is collected, the next seventy-five thousand dollars (\$75,000) of the proceeds derived from the tax shall be paid to the Cullman County Board of Education and used for the purpose of constructing and equipping the Cullman County Child Development Center, which shall be a school for the retarded and exceptional children of Cullman County.

Fifty percent of the remainder of the proceeds of such tax shall be paid annually into the general fund of the City of Cullman; and the other fifty percent of such remainder shall be paid annually into the general fund of Cullman County. Twenty percent of the amount so paid to Cullman County is hereby appropriated to the small incorporated municipalities in Cullman County. For the purposes of this section "small incorporated municipalities in Cullman County" means all incorporated municipalities in the county except the City of Cullman. This twenty percent of the county's share of the remainder of the tax proceeds shall be prorated to these municipalities on the basis of population, each such municipality receiving such portion thereof as its population is of the total population of all such municipalities. One hundred thousand dollars (\$100,000) of the amount so paid to Cullman County is hereby appropriated for use in paving and resurfacing roads in Cullman County and building, repairing and maintaining bridges in the county. This amount shall be paid to the director of the state highway department and be used exclusively for the purposes above enumerated; and this sum shall be in addition to any and all sums used pursuant to any other law by the highway director for the construction, reconstruction, repair and maintenance of Cullman County roads and bridges. The county treasurer, within thirty days after receiving any proceeds from the taxes hereby levied, shall draw warrants payable to each such municipality for its respective pro rata share of the tax proceeds, and a warrant payable to the state highway director for the moneys to be used for Cullman County roads and bridges.

REGULAR SESSION
1st Day

79

Whenever there is no further need for capital improvements and all debts incurred for capital improvements by the Cullman County Hospital Board are paid or after the expiration of twenty-five years from the date on which the tax is levied, whichever occurs first, then all the proceeds of such taxes, except such amount as is paid to the state department of revenue for collecting the tax, shall be divided equally between the general fund of the City of Cullman and the general fund of Cullman County; and twenty percent of that amount so paid to Cullman County shall be appropriated and paid to the small incorporated municipalities of the county as hereinabove prescribed, and one hundred thousand dollars (\$100,00) of the amount so paid to Cullman County shall be appropriated and paid to the state highway director and used for Cullman County roads and bridges, as hereinabove provided. The distribution and division of the tax, prescribed herein, shall not be changed unless the change thereof is first approved by the governing bodies of both the City of Cullman and Cullman County.

Section 10. No municipality in Cullman County shall levy or collect any special municipal sales taxes or any special municipal use taxes so long as the additional county taxes provided for in this Act are being levied and collected in Cullman County. Any municipal ordinance hereafter adopted levying any such taxes shall be null and void; and any such municipal ordinance heretofore adopted, including ordinance No. 687, which was adopted on November 13, 1972, by the city council of the City of Cullman, is hereby repealed and no municipal taxes shall be collected pursuant thereto after the date on which this Act becomes effective.

Section 11. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 12. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. This Act shall become effective on the first day of the month next following the expiration of thirty days from the date of this Act becomes law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 1, 8, 15, and 22, all in the year 1973.

MARC MILLER.

Sworn to and subscribed before me April 26, 1973.

CHARLOTTE MILLER,
Notary Public.

By Messrs. St. John and Drake (with notice and proof):

H. 181. To provide an additional fee for recording change of ownership of motor vehicles in Cullman County and for the use thereof.

Local Legislation No. 1.

Notice and Proof H. 181:

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide an additional fee for recording change of ownership of motor vehicles in Cullman County and for the use thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. An additional fee of twenty-five cents (25¢) shall be charged by the judge of probate of Cullman County, or such other officer performing the duties of the probate judge for recording the change of ownership of an automobile or other motor vehicle, as provided by Section 706, Title 51, Code of Alabama 1940, as amended.

Section 2. Any person who acquires a motor vehicle and fails to transfer ownership with the probate judge or who fails to file a copy of the court order or memorandum of sale when a motor vehicle is acquired under legal proceedings, or is repossessed, within ten (10) days from the date upon which the motor vehicle was acquired or repossessed shall be penalized the sum of \$1.50. The penalty shall be paid to the probate judge when the change of ownership is reported or when the court order or memorandum of sale is filed. The provisions of this paragraph shall not apply to automobiles held on the sales lot or sales floor of licensed automobile dealers and not used on streets or highways until said automobile has been sold or otherwise disposed of by the dealer.

Section 3. All such additional fees or penalties, upon collection, shall go to the probate judge to pay for clerk hire.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws which conflict with this act are repealed.

Section 6. This act shall become effective on the first day of the first month next following the date of its passage and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 12, April 19, April 26, and May 3, all in the year 1973.

MARC MILLER.

Sworn to and subscribed before me April 26, 1973.

CHARLOTTE MILLER,
Notary Public.

By Messrs. St. John and Drake (with notice and proof):

H. 182. To provide additional revenue in Cullman County to be used exclusively for the purpose of developing and promoting tourism and conventions within the county; levying a county privilege or license tax paralleling, at lower rate, state privilege or license tax on businesses of renting rooms, lodging or accommodations to transients as provided for in Act No. 248, H. 87, Regular Session 1955, (Acts 1955, p. 586), as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violation of this Act.

Local Legislation No. 1.

Notice and Proof H. 182:

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide additional revenue in Cullman County to be used exclusively for the purpose of developing and promoting tourism and conventions within the county; levying a county privilege or license tax paralleling, at lower rate, state privilege or license tax on businesses of renting rooms, lodging or accommodations to transients as provided for in Act No. 248, H. 87, Regular Session 1955, (Acts 1955, p. 586), as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violation of this Act.

1st Day

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby levied in Cullman County, in addition to all other taxes now imposed by law, a privilege or license tax, paralleling, at lower rate, the state tax on the businesses of renting rooms, lodging or accommodations to transients as provided for in Act No. 248, H. 87, Regular Session 1955, (Acts 1955, p. 586), as heretofore or hereafter amended or supplemented, hereinafter referred to as state lodging tax, in the manner and at the rate hereinafter prescribed.

Upon every person, firm, or corporation engaging in Cullman County in the business of renting or furnishing any room or rooms, lodging or accommodations to transients in any hotel, motel, inn, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or accommodations are regularly furnished to transients for a consideration, in an amount to be determined by the application of the rate of two per cent (2%) of the charge for such room, rooms, lodgings, or accommodations, including the charge for the use or rental of personal property and services furnished in such room. Provided, however, there is exempted from the tax levied under the provisions of this Act any rentals or services taxed under the provisions of the Alabama Sales Tax Act, Act 100, of the Second Special Session of the 1959 Legislature, (Acts 1959, p. 298), as amended or as may hereafter be amended. The tax shall not apply to rooms, lodgings or accommodations supplied for a period of thirty (30) continuous days or more in any place.

Section 2. The tax levied under the provisions of this Act shall be paid to and collected by the state department of revenue, hereinafter referred to as the department, at the same time and along with the collection of the state lodging tax.

Section 3. The tax levied under the provisions of this Act, except as otherwise provided, shall be due and payable in monthly installments on or before the twentieth day of the month next succeeding the month in which the tax accrues. On or before the twentieth day of each month after this Act has taken effect, every person, firm, or corporation on whom the taxes levied by this Act are imposed, shall render to the department, on a form prescribed by the department, a true and correct statement showing the gross proceeds of the business for the next preceding month, together with such other information as the department may demand and require and at the time of making such monthly report the tax payer shall compute the taxes due and shall pay to the department the amount of taxes shown to be due. The department, for good cause, may extend the time for making any return required under the provisions of this Act, but the time for filing any such return shall not be extended for a period greater than thirty days from the date such return is due to be made.

Section 4. Any person, firm, or corporation taxable under this Act having a cash and credit business may report such cash business, and the taxpayer shall thereafter include in each monthly report all credit collections made during the month preceding and shall pay the taxes due thereon at the time of filing such report, but in no event shall the gross proceeds of such credit business be included in the measure of the tax to be paid until collections of such credit business shall have been made.

Section 5. On or before thirty days after the end of the tax year, each person, firm, or corporation liable for the payment of a privilege tax as levied

1st Day

by this Act shall make a return showing the gross proceeds of business done and compute the amount of tax chargeable against him or it in accordance with the provisions of this Act and deduct the amount of monthly payments as hereinbefore provided if any have been made, and transmit with this report a remittance in the form required by this Act covering the residue of the tax chargeable against him, to the office of the department, and such report shall be verified by oath.

Section 6. It shall be the duty of every person, firm, or corporation engaging, or continuing in Cullman County in any business taxed hereunder to keep and preserve suitable records of the gross proceeds of such business and such other books or accounts as may be necessary to determine the amount of tax for which he or it is liable under the provisions of this Act. Such records shall be kept and preserved for a period of two years and shall be open for examination at any time by the department, or its duly authorized agent.

Section 7. The monthly reports herein required to be made are not required to be made on oath, but wherever in this Act any report is required to be sworn to, the same shall be sworn to by the taxpayer or his agent before some officer authorized to administer oaths; and any false statement of a material fact made with intent to defraud shall constitute perjury, and upon conviction thereof the person so convicted shall be punishable as provided by law.

Section 8. All reports or returns filed with the state department of revenue under this Act shall be available for inspection by the governing body of Cullman County, or its designated agent, at reasonable times during business hours.

Section 9. It shall be unlawful for any person, firm, or corporation engaged in or continuing within Cullman County in any business for which a license or privilege tax is required by this Act to fail or refuse to add to the price of the service rendered the amount due by the taxpayer on account of the tax levied by this Act. Nor shall any person refund or offer to refund all or any part of the amount collected as tax under this Act or to absorb such tax or to advertise directly or indirectly the absorption or refund of such tax or any portion of the same.

Section 10. The tax levied by this Act, together with interest and penalties that may be imposed, shall constitute a debt due Cullman County and may be collected by civil suit, in addition to all other methods provided by law and in this Act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All provisions of the revenue laws of this state which apply to the enforcement of liens for privilege or license taxes due the state shall apply fully to the collection of the county taxes levied, and the state department of revenue for the use and benefit of Cullman County shall collect such taxes and enforce this Act and shall have and exercise for such collection and enforcement all rights and remedies that this state or th department has for collection of the state lodging tax. The state department of revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this Act, and to otherwise enforce the provisions of this Act, including any litigations involving the Act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Cullman County.

Section 11. All provisions of the state lodging tax statutes with respect to payment, assessment and collection of the state lodging tax, making of reports and keeping and preserving records with respect thereto, interest after due date of tax; make reports, or otherwise comply with the state lodging tax statutes, the promulgation of rules and regulations with respect to the state lodging tax and the administration and enforcement of the state lodging tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied by this Act, shall apply to the county tax levied. The commissioner of revenue and the state department of revenue shall have and exercise the same powers, duties, and obligations with respect to the county taxes levied as are imposed on the commissioner and the department, respectively, by the state lodging tax statutes. All provisions of the state lodging tax statutes that are made applicable to this Act to the county taxes levied and to the administration of this Act are incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 12. The state department of revenue shall charge Cullman County for collecting the county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenue and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed ten per-cent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the taxes for the county may be deducted each month from the taxes collected before certifying the amount of the proceeds thereof due Cullman County for that month. The state commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Cullman County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Cullman County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the governing body of Cullman County, in an amount equal to the amount so certified by the state commissioner of revenue as having been collected for the use of the county. The custodian of the general funds of Cullman County shall deposit the revenue derived from the tax levied herein in a special account separate and apart from other funds of the county and such funds shall be used exclusively for the purpose of developing and promoting tourism and conventions.

Section 13. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. This Act shall become effective on the first day of the month following the passage and approval of this Act by the Governor, or its otherwise becoming a law.

REGULAR SESSION
1st Day

85

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 12, April 19, April 26, and May 3, all in the year 1973.

MARC MILLER.

Sworn to and subscribed before me April 26, 1973.

CHARLOTTE MILLER,
Notary Public.

By Mr. King:

H. 183. To prohibit the Department of Conservation and Natural Resources or the Alabama Historical Commission from charging any fee for the use of any picnic table, picnic area or site in any state park, monument or historical site, and repealing conflicting laws.

Ways and Means.

By Mr. Hale:

H. 184. To provide that the courts of this state shall have jurisdiction over any non-resident corporation, which conducts business in the state without qualifying to do business therein, for the prosecution of any claim whether or not that claim arises out of the business conducted within the state.

Judiciary.

By Mr. Hale:

H. 185. To provide that the courts of this state shall have jurisdiction over any non-domiciliary who commits a tortious act causing injury within the state or owns, uses, or possesses real property within the state where any claim arises from the doing of any such act.

Judiciary.

By Mr. Gafford:

H. 186. To amend further Section 2, Act No. 100, Second Special Session 1959, the State Sales Tax Act, so as to provide that where any used part of an automotive vehicle or a truck trailer, semi-trailer or a house trailer is taken in trade as a credit or part payment on the sale of a new or used part, the sales tax shall be paid on the net difference.

Ways and Means.

By Mr. Ellis:

H. 187. To declare the need for training emergency medical technicians; to authorize the state health department to contract with the state de-

partment of education to provide such training courses through existing vocational or technical schools and junior colleges; and to appropriate funds therefor.

Ways and Means.

By Mr. Ellis:

H. 188. Relating to the emergency services division of the state health department, requiring the state personnel department to establish job descriptions, requirements, qualifications and pay schedules for positions in said division; providing that appropriations for the payment of annual salaries for personnel in said division shall be included in the general appropriation bill.

Health.

By Mr. Ellis:

H. 189. Relating to emergency medical services in hospitals; authorizing the state board of health to establish, promulgate and enforce rules, regulations and minimum standards for the operation of emergency departments in hospitals of this state and to provide for the categorization of hospitals according to the capabilities of such departments; requiring the state highway department to denote on all official highway maps and by the erection of highway markers the location of certain designated hospitals.

Health.

By Mr. Ellis:

H. 190. Relating to emergency care by Alabama State Troopers; requiring additional equipment for highway patrol cars and further instruction for troopers; and providing for the payment of costs.

Ways and Means.

By Mr. Ellis:

H. 191. To amend Section 1 of Act No. 253, H. 41, Special Session 1966 (Acts 1966, p. 377), which exempts from civil liability certain persons who render emergency care at the scene of an accident, casualty or disaster; so as to exempt certain other persons.

Judiciary.

By Mr. Ellis:

H. 192. To amend the title and Sections 2, 3, 5 and 6 of Act No. 1590, S. 415, Regular Session 1971 (Acts 1971, p. 2117), entitled "An Act To designate the State Board of Health as the responsible agency and to authorize it to establish and enforce rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers; to establish and enforce rules and regulations for the operations, design, equipment and inspection and licensing of ambulances; and to establish requirements for the operation and coordination of ambulances; to provide for violation of rules and regulations established hereunder; exempting certain volunteer rescue squads from the provisions of this Act"; so as to provide further for improved and more adequate ambulances and ambulance service by including certain previously excluded rescue squads and their members in cer-

tain licensing provisions of the act and exempting them from the payment of license fees; by providing further for the deposit and use of license fees and for an appropriation to implement the provisions of the act; by authorizing the said board to make further requirements respecting ambulances and equipment of ambulances and to provide grants in aid therefor, and to provide for the licensing of operating personnel; by providing that no county shall be deprived of ambulance service because of the application of the board's rules and regulations; by authorizing the board, in cooperation with county and municipal governing bodies, to provide instruction for ambulance drivers and attendants; by authorizing counties, cities and public hospitals to establish ambulance services jointly or separately or to contract for such services, subject to rules and regulations of the board; by making it unlawful for any person to fail to pay for ambulance services under certain conditions or to make a knowingly false report for the need of ambulance service, and to prescribe penalties therefor and by changing certain penalties for violating rules and regulations of the board.

Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Reid (R):

H. J. R. 15. HONORING CLYDE BLACKWOOD FOR HIS CONTRIBUTION TO THE EDUCATION PROFESSION OF THIS STATE AND OFFERING BEST WISHES ON HIS FORTHCOMING RETIREMENT.

WHEREAS Clyde Blackwood will retire from his position as Superintendent of Blount County Schools on June 30, 1973, after four terms in that esteemed office and after the completion of 44 years of service to the education profession; and

WHEREAS he is a native of Cleveland, Alabama, Blount County, and is the son of Thomas Jefferson and Nattie Holly Blackwood. His mother and father were members of pioneer families in the history of Blount County. Clyde Blackwood attended elementary and junior high school at Cleveland and graduated from the State Secondary Agricultural School at Blountsville. Using his keen mind and uncommon zeal for education he earned a Normal School Certificate from Jacksonville State Teachers' College and did additional graduate work at the University of Alabama and the famous Peabody College for teachers in Nashville, Tennessee; and

WHEREAS Mr. Blackwood began his amazing career in education in 1929 at Nectar Junior High. He was truly a man for all seasons as he used his remarkable talent and resourcefulness to serve the education profession as a teacher, principal and work at various levels. During the earlier days when the salaries for education were considerably lower than the present day salaries, he maintained a farm in order to supplement his income so that he could remain in his chosen profession; and

WHEREAS he made a continuous effort to promote education not only in Blount County but throughout the state. Largely through his efforts many schools in the county became accredited and gymnasiums, lunchrooms, dressing facilities for athletic teams and indoor restrooms were built. Often

this was accomplished without financial aid from the county. During his administration as Superintendent every school center received much needed and long delayed moden facilities; and

WHEREAS Clyde Blackwood has contributed immeasurably to the social and civic affairs of his community and state. He has served as president of the Blount County Education Association and has held various offices in the Alabama Education Association; the Committee for Aid to Needy School Children in Blount County; the Locust Fork Masonic Lodge; the Oneonta Civitan Club; the Locust Fork Baptist Church and was on the Board of Directors of Blount Memorial Hospital; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body wishes to commend an outstanding man, Clyde Blackwood, for his contribution not only to the education profession in this state, but also for the tremendous influence that a man of his noble character has on our society. This body offers best wishes to him and his lovely wife, Evangeline, upon his forthcoming retirement.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Clyde and Evangeline Blackwood; to the county governing body of Blount County, to the Blount County Board of Education and to the local news media.

The resolution, H. J. R. 15, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Reid (R):

H. J. R. 16. COMMENDING THE ONEONTA HIGH SCHOOL FOOTBALL TEAM AND WORKING STAFF FOR WINNING THEIR SECOND CONSECUTIVE 2-A STATE CHAMPIONSHIP.

WHEREAS the powerful Oneonta High School "Redskins" completed their regular season with a perfect 10-0 record and defeated Cordova 43-14 for their second consecutive 2-A football championship; and

WHEREAS this highly organized and well trained team was the handiwork of Head Coach Hugh O'Shields and Assistant Coaches Quenton Benn and Baxter Bryant. Coach O'Shields and the assistant coaches not only provided this team with exceptional knowledge of the fundamentals of football, but also inspired the team by their personal conduct; and

WHEREAS the "Redskins" defeated G. P. Austin 70-6 in the first round of the state 2-A football championship and then defeated Alexandria 36-20 in the semifinals to earn the right to play for the esteemed championship. The win in the championship game gave the team a perfect 13-0 record for the season; and

WHEREAS the cheerleaders, by their enthusiasm, selection of outstanding cheers and the holding of well-planned pep rallies, greatly aided and inspired the football team. These outstanding cheerleaders deserve special mention for their marvelous efforts; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body salutes the powerful

Oneonta High School Football Team for winning their second consecutive State 2-A football championship. Special congratulations are hereby extended to Head Coach Hugh O'Shields, the Oneonta High School Cheerleaders and the Superintendent of the Oneonta School System, Mr. Hubert L. Street.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the members of the Oneonta football team and to the local news media.

The resolution, H. J. R. 16, was read and referred to the Standing Committee on Rules.

CO-SPONSORS ADDED

At the request of Messrs. Carnes and Grainger, unanimous consent was granted for their names to be added as co-sponsors to the bills, H. 44 and H. 45.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Merrill, Burgess and Stewart:

H. 193. Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census; to provide for an annual expense allowance for the remaining terms of office of certain officials of said counties, and providing for retroactive effect.

Local Legislation No. 1.

By Messrs. Merrill, Burgess and Stewart:

H. 194. To amend further Act No. 154, H. 746, Regular Session 1965, which act creates the office of commissioner of licenses in certain counties classified on a population basis, so as to make further provisions respecting the compensation of such commissioner.

Local Legislation No. 1.

By Messrs. Kinsey and Benton (with notice and proof):

H. 195. Relating to the governing body of Baldwin County; amending Section 1 of Act No. 239, H. 597, Regular Session 1931 (Local Acts of 1931, p. 100), as amended, which act creates the county commission of Baldwin County in lieu of the board of revenue of said county; so as to provide further for the rearrangement and redivision of the commissioners' districts.

Local Legislation No. 1.

Notice and Proof H. 195:

STATE OF ALABAMA COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

1st Day

A BILL
TO BE ENTITLED
AN ACT

Relating to the governing body of Baldwin County; amending Section 1 of Act No. 239, H. 597, Regular Session 1931 (Local Acts of 1931, p. 100), as amended, which act creates the county commission of Baldwin County in lieu of the board of revenue of said county; so as to provide further for the rearrangement and redivision of the commissioners' districts.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 239, H. 597, Regular Session 1931 (Local Acts of 1931, p. 100), as amended, which act creates the county commission of Baldwin County in lieu of the board of revenue of said county is hereby amended to read as follows:

"Section 1. The governing body of Baldwin County shall be a commission of four members and shall be known as the Baldwin County Commission. It shall be a court of record. The members of such commission shall be designated commissioners. Baldwin County is hereby divided into four commissioners districts to be numbered one, two, three, and four as follows:

"District No. One shall embrace all of that part of Baldwin County lying north of the township line dividing Township 3 south and Township 4 South and shall in addition include the following described territory lying in Township 4 South, Range 3 East: beginning at the point where the township line dividing Township 3 South and Township 4 South intersects the range line dividing Range 3 East and Range 4 East, thence in a southerly direction along said range line to the southeastern corner of Section 1 of Township 4 South, Range 3 East, thence in a westerly direction along the section line which forms the south boundary of Sections 1, 2, 3, 4, 5 and 6 in Township 4 South, Range 3 East to the point of intersection of said section line with the range line dividing Range 2 East and Range 3 East, thence in a northerly direction along said range line to the point of intersection of said range line with the township line dividing Township 3 South and Township 4 South, thence in an easterly direction along said township line to the point of beginning.

"District No. Two shall embrace that part of Baldwin County in Townships 4, 5, 6, 7 and 8 south, lying West of the following described line: beginning at the western boundary of Week's Bay where said bay empties into Mobile Bay, thence in a northerly direction along the bay shore to a point where Fish River empties into the bay then along Fish River to a point where said river intersects the range line in Township 5 South, which divides and forms the boundary line between Section 13 in Range 2 East from Section 18 in Range 3 East thence in a northerly direction along said range line to the point of intersection with the township line dividing Township 3 South and Township 4 South, thence in a westerly direction along said township line to the Mobile River.

"District No. Three shall embrace all that part of Baldwin County lying between the township line dividing Township 3 South and Township 4 South and the township line dividing Township 6 South and Township 7 South, except that part which is embraced in District No. One and District No. Two as described above.

REGULAR SESSION
1st Day

91

"District No. Four shall embrace all that part of Baldwin County lying South of the township line dividing Township 6 south and Township 7 South, except that part which is embraced in District No. Two as described above.

"One member of this commission shall reside in each of the districts; provided that temporary residence at the county seat or in any part of the county during his term of office for convenience in the discharging of his duties as a member of the commission shall not disqualify a commissioner from holding his office and shall not be construed to change his place of residence so as to disqualify him as a candidate for re-election. The commissioners shall be residents and qualified electors of Baldwin County.

"The commissioners who were elected in 1972 from Districts One and Three, as such districts were described in Act No. 239, H. 597, Regular Session 1931 (Local Acts of 1931, p. 100), shall serve out the terms for which they were elected as commissioners from Districts One and Three as such districts are herein described. Successors to commissioners from Districts One and Three, as such districts are herein described, shall be elected in November 1976 for terms of four years each and each fourth year thereafter. The commissioners from Districts Two and four, as such districts are herein described, shall be elected in November 1974 for terms of four years each and each fourth year thereafter. The terms of all commissioners shall commence on the first day of January next following their election and qualifying and shall terminate on the 31st day of December each fourth year thereafter. Upon commencing upon their duties, each of the said commissioners shall subscribe to the oath prescribed by the general law for members of county governing bodies."

Section 2. The provisions of this act relative to the election of members of the Baldwin County Commission to be elected in 1974 from Districts Two and Four, as described herein, shall be effective to govern such election, and the other substantive provisions of this act shall become effective January 1, 1975.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Cameron, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of The Onlooker, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 1/25/73, 2/1/73, 2/8/73, and 2/15/73, all in the year 1973.

JOHN M. CAMERON.

Sworn to and subscribed before me February 16, 1973.

SAMUEL K. SMITH,
Notary Public.

1st Day

By Messrs. Stewart, Fite, Erdreich, Doss, Bank, Carnes, Nettles, Agee, O'Daniel and Crowe:

H. 196 To exempt from all state, county and municipal sales and use taxes all medicines prescribed by a physician for any person in this State and to repeal all laws or parts of laws which are in conflict with this Act and especially Act No. 176, H. 128, 1971 Third Special Session (Acts of 1971, p. 4435).

Ways and Means.

By Messrs. Owens and Lyons:

H. 197. To create a nonprofit unincorporated legal entity to be known as the Alabama Insurance Guaranty Association; stating that the purpose of this Act is to provide a mechanism for the payment of claims of claimants and policyholders of certain insolvent insurance companies; providing for a Board of Directors and prescribing the powers and duties of the Association; providing for a plan of operation of the Association subject to the approval of the Superintendent of Insurance; prescribing the duties and powers of the Superintendent of Insurance; providing that the Association shall be subject to examination and regulation of the Superintendent of Insurance.

By Messrs. Owens and Lyons:

H. 198. To amend Sections 2, 5 and 6 of Act No. 118, H. 185, of the Regular Session of 1945 (Acts 1945, p. 111), which creates a Bureau of Rates to regulate rates of certain classes of insurance of all insurance companies doing business in Alabama, so as to provide that the State Insurance Department approve all rate increases on all casualty, liability, health and accident insurance sold in Alabama, excluding contracts negotiated out of state and life insurance companies; to provide for notice before rate changes take effect; to provide for the use of actuaries and experts in determining rate changes; to provide for public hearings and for the appeal of final orders to the courts.

Insurance.

By Messrs. Owens and Lyons:

H. 199. To amend Section 9 of Act No. 132, H. 186, Regular Session 1945 (Acts 1945, p. 138), which act provides for the regulation of rates for certain kinds of insurance which insurance companies are authorized to write in this state, so as to increase the number of days from date of filing a rate system which will cause the rate system to be deemed approved.

Insurance.

By Messrs. Owens and Lyons:

H. 200. To regulate further nonprofit corporations for establishment of plans for hospital and medical services; to amend further Sections 304, 305, 306, 307, 308, 309, 310, 311 and 313 of Title 28 of the Code of Alabama of 1940, as amended, relating to such nonprofit corporations; and to provide for the continuation of the existence of such corporations organized prior to and existing on the effective date of this Act.

Insurance.

REGULAR SESSION
1st Day

93

By Messrs. Owens and Lyons:

H. 201. To amend Section 8 of Act No. 133, H. 187, Regular Session 1945 (Acts 1945, p. 148), which act provides for the regulation of rates for certain kinds of insurance which insurance companies are authorized to write in this state, so as to increase the number of days from date of filing a rate system which will cause the rate system to be deemed approved.

Insurance.

By Messrs. Owens and Lyons:

H. 202. To require domestic life insurance companies and Mutual Aid or Fraternal Societies to keep the original records pertaining to operations within the confines of this State; to provide for revocation or suspension of license for failure to do so.

Insurance.

By Messrs. Owens and Lyons:

H. 203. To provide protection to policyholders and beneficiaries of insolvent insurers in receivership by establishing a priority of certain claims to be allowed by receivership courts so as to make policyholders and beneficiaries of such insurers preferred creditors; and to make further provision for protection of policyholders by authorizing receivers of such insurers to transfer to solvent insurers certain assets of receivership estates as consideration or as reserves for reinsurance of policies of insolvent insurers upon hearing and approval of the appropriate circuit court having jurisdiction of such case or cases; and to provide for priorities of claims among classes of policyholders and beneficiaries; and to relieve the receiver of any civil liability to creditors for acts performed pursuant to such court orders.

Insurance.

By Messrs. Owens and Lyons:

H. 204. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems; to define the term "insurance holding company system" and certain other terms; to provide for and regulate the acquisition of subsidiaries of insurers; to regulate the acquisition of control of or merger with domestic insurers; to provide for the filing of certain information with the Commissioner of Insurance; to prescribe grounds for approval of mergers and acquisitions; to provide for notice and hearing; to provide for exemptions; to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide for exemptions and disclaimers; to provide standards for material transactions between insurers and their affiliates; to regulate extraordinary dividends and distributions; to provide for examination by the Commissioner of Insurance with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Commissioner of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Commissioner of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the Act; to provide criminal penalties; to provide for receivership, revocation or

suspension of license for violation of the Act; to provide for judicial review; to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

Insurance.

By Messrs. Lyons and Owens:

H. 205. Relating to taxation: exempting the Episcopal Foundation of Jefferson County and the Alabama Heart Association and their property from state, county and municipal taxes, licenses, fees and excises, under certain prescribed conditions.

Ways and Means.

By Mr. Boles:

H. 206. To amend Section 333 of Title 52 of the Code of Alabama, Recompiled 1958 and 1969, which provides for the charging of a fee for the issuance of teacher certificates and sets the amount of the fee and for the repeal of Section 350 of Title 52, Code of Alabama, Recompiled 1958 and 1969, providing for the disposition of fees paid by the applicants for teachers certificates.

Education.

By Messrs. McCorquodale and Agee (with notice and proof):

H. 207. To amend further Section 7 of Act No. 34, H. B. 225, Extra Session 1932, (Local Acts 1932, p. 13), as amended, which act relates to the County Superintendent of Education of Clarke County, so as to increase the expense allowances of said Superintendent of Education and to provide that said expense allowance may be incurred while said Superintendent is out of the county or state.

Local Legislation No. 1.

Notice and Proof H. 207:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 7 of Act No. 34, H. B. 225, Extra Session 1932, (Local Acts 1932, p. 13), as amended, which act relates to the County Superintendent of Education of Clarke County, so as to increase the expense allowances of said Superintendent of Education and to provide that said expense allowance may be incurred while said Superintendent is out of the county or state.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 34, H. B. 225, Extra Session 1932 (Local Acts 1932, p. 13), as amended, which act relates to the County Superintendent of Education for Clarke County, is amended further to read as follows:

"Section 7. The County Superintendent of Education of Clarke County shall receive an annual salary not to exceed the sum or an amount equal to the highest salary paid to any teacher or principal in the county school system

1st Day

plus an amount equal to 50% of such highest paid salary. The salary herein provided for the Superintendent of Education shall be fixed by the County Board of Education and shall be payable in equal monthly installments out of the county funds available for such purpose. In addition to such salary, the Superintendent of Education shall be allowed an expense allowance of \$200.00 per month as constituting reimbursement for travel expenses incurred in the performance of his duties within the boundaries of Clarke County. Travel expenses for out of county or out of state travel shall be reimbursed on the basis of actual expenses incurred in the performance of his duties as County Superintendent of Education."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION**STATE OF ALABAMA
COUNTY OF CLARKE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward T. Hall, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Clark County Democrat, a newspaper of general circulation published in Clarke County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 1, 8, 15, and 22, all in the year 1973.

EDWARD T. HALL.

Sworn to and subscribed before me March 22, 1973.

JULIA M. HELVES,
Notary Public.

By Messrs. McCorquodale, Smith (P) and Merrill:

H. 208. To make an additional appropriation to the Legislative Reference Service for the current fiscal year.

Ways and Means.

By Mr. Meeks:

H. 209. To amend Section 11 of Act No. 492 of the General Acts of the Regular Session of the Alabama Legislature of 1947, to provide that after fifty percent completion has been accomplished no further retainage will be withheld.

Commerce and Transportation.

By Messrs. Warren and Carter:

H. 210. To amend Section 3, Act No. 1945, Regular Session of 1971, approved September 20, 1971, establishing the qualifications of the person appointed as County Engineer or Chief Engineer of the Division of Public Roads of the County within the meaning of the Act.

Commerce and Transportation.

By Messrs. Turner, Cottingham, Jones (F), Stubbs and Connell:

H. 211. Proposing an amendment to the Constitution of Alabama to further regulate legislative procedure in the two houses of the legislature.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Turner and Williams:

H. 212. To further amend Code of Alabama 1940, Title 51, Section 348, as amended, which relates to the levying of a franchise tax on foreign corporations.

Ways and Means.

By Messrs. Turner, Jones (F), Wynot and Kinsey:

H. 213. To amend Title 52, Section 166 of the Code of Alabama of 1940; to provide that the city board of education shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the state superintendent of education.

Education.

By Messrs. Turner, Jones (F), Wynot and Kinsey:

H. 214. To amend Title 52, Section 73 of the Code of Alabama of 1940; to provide that the county board of education shall adopt written policies with regard to education and to provide that such written policies shall be made available to all employees of the board.

Education.

By Mr. Carter:

H. 215. To amend Section 5 of Act No. 166, H. 57, Third Special Session 1971 (Acts 1971, p. 4413), entitled, "An Act to amend Title 51, Section 17, Code of Alabama 1940, so as to provide for a system of classification of property for ad valorem tax purposes, and to provide alternative procedures with respect to ad valorem taxes levied by any authority other than the State; to describe and define the various classes of property and to fix with respect to such classes the ratios of assessed value to the fair and reasonable market value of property within such classes; to provide for certain exemptions from taxation."

Ways and Means.

By Messrs. Flippo and Hill:

H. 216. To provide for transfer of certain members of the Employees' Retirement System of Alabama under Section 12 of Act 515 of 1945 Act as amended who are otherwise eligible to become members of the Teachers' Retirement System of Alabama under the provisions of Act #2307 of the 1971 Legislature.

Ways and Means.

By Messrs. Ellis, Dill, Doss, Bowers, Burgess, Reed (T), Wynot, Hale, Wood, Stokes, Goodwin, Crowe, McDonald, Waldrop, Turnham and Hardin:

H. 217. To amend Section 2 of Act No. 81, S. 28, Regular Session of 1953 (1953 Acts, p. 124), which act creates the Alabama Educational Television Commission so as to add the State Superintendent of Education as an ex officio member of the commission.

Education.

By Messrs. Ellis, Waggoner, Doss, Boutwell and Weeks:

H. 218. To amend Title 52, Section 41, Code of Alabama 1940 as amended; to provide for the salary of the state superintendent of education; to repeal all laws in conflict herewith and to provide for an effective date of this act.

Education.

By Mr. O'Daniel:

H. 219. Relating to counties having a population of not less than 30,000 nor more than 33,575 inhabitants according to the most recent federal decennial census, so as to further provide for the compensation of the superintendent of education of such counties.

Local Legislation No. 1.

By Messrs. Wise and Jackson:

H. 220. To apply only in counties having a population of not less than 21,000 nor more than 22,000 inhabitants; providing for additional expense allowances for members of the board of equalization payable from the general funds of the county.

Local Legislation No. 1.

By Messrs. Wise and Jackson:

H. 221. To authorize any board of education in this state to release school pupils for not more than one hour each week to receive religious instructions if requested by the parents or guardian of such school pupils.

Education.

By Mr. Chesnut (with notice and proof):

H. 222. To provide further for the election and qualifications of the members of the governing body of Cherokee County.

Local Legislation No. 1.

Notice and Proof H. 222.

A BILL
TO BE ENTITLED
AN ACT

To provide further for the election and qualifications of the members of the governing body of Cherokee County.

Be It Enacted by the Legislature of Alabama:

Section 1. The four associate members of the County Commission, Board of Revenue or other like governing body of Cherokee County shall, at the expiration of the current term of each member, be elected by the qualified electors of the County at large, for a term of four years. One member shall reside in, and be a qualified elector of each of the four districts prescribed in Section 2 of Act No. 250, Regular Session 1939.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA
COUNTY OF CHEROKEE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 12, 19, 26, and Feb. 2, all in the year 1972.

JOE SHAW, JR.

Sworn to and subscribed before me Feb. 2, 1972.

KATHRYN L. BLACK,
Notary Public.

By Mr. Lutz:

H. 223. To amend further Section 114, Title 22, Code of Alabama 1940, which relate to protection of the public against rabies.

Health.

By Messrs. Lutz and Grainger:

H. 224. Providing further for the conservation of the natural resources of the State; designating the caves and caverns of the State and the flora, fauna, mineral formations and deposits therein and other contents thereof as natural resources, worthy of preservation, protection and development for scenic, business and commercial purposes; regulating through licensure the use of such caves and their contents for business and commercial purposes; protecting the rights of property owners and the general public in caves; requiring cave owners to install and keep in repair certain equipment and abide by safety regulations, prescribed by the director of public safety, when caves are opened to the public; to provide for safety inspections of caves; to establish the State Speleological Committee; to provide for the dissemination of information about Alabama caves to the owners thereof and to the public; to designate certain acts relative to caves and their contents as criminal offenses and to prescribe penalties therefor.

Conservation.

By Messrs. Lutz and Grainger:

H. 225. To authorize and provide for minute entries in misdemeanor cases appealed from a city recorder's court, county court, mayor's court, police court, or any municipal court, to the circuit courts or any other courts of record in Alabama.

Judiciary.

By Mr. Lutz:

H. 226. To amend Title 52, Section 361, Code of Alabama 1940, as amended by adding new subsection nine (9) and renumbering existing subsections, to provide that a teacher may appeal to the State Tenure Commission in any instance when such teacher has been denied a formal hearing as required by Title 52, Sections 356 and 359, Code of Alabama 1940, as amended.

Education.

By Messrs. Lutz, Hearn, King, Hale and Grainger (with notice and proof):

H. 227. Relating to Madison County; authorizing the clerk of the county court to destroy certain files and records in all civil and criminal cases after a certain period of time and providing for an official record of said files and records.

Local Legislation No. 4.

Notice and Proof H. 227:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; authorizing the clerk of the county court to destroy certain files and records in all civil and criminal cases after a certain period of time and providing for an official record of said files and records.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County the clerk of the county court is authorized to destroy all files, shucks or envelopes, together with all papers filed therein in all civil and criminal cases in such court provided that in civil cases there has been an expiration of eleven years from the date of final judgment and that the final judgment has not been revlved within ten years from the date of such judgment and provided that in criminal cases there has been an expiration of ten years from the date of final judgment. No authority is given herein to destroy the consolidated docket and fee book sheets.

Section 2. The consolidated docket and fee book sheets and final record books maintained by the clerks shall be considered to be the official court records of papers destroyed under the provisions of this Act.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Felix L. Williams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Huntsville News, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Nov. 1, 8, 15, and 22, all in the year 1972.

FELIX L. WILLIAMS.

Sworn to and subscribed before me November 27, 1972.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Hearn, King, Hale and Grainger (with notice and proof):

H. 228. Relating to Madison County; authorizing the county governing body to set the county supplement for the circuit court reporters, provided, said supplement is not less than a certain minimum amount.

Local Legislation No. 4.

Notice and Proof H. 228:

STATE OF ALABAMA COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Madison County; authorizing the county governing body to set the county supplement for the circuit court reporters, provided, said supplement is not less than a certain minimum amount.

Section 1. In Madison County the county governing body is authorized to set an annual county supplement for the circuit court reporters of the Twenty-Third Judicial Circuit provided that said county supplement shall not be less than \$5,200. Said supplemental compensation is to be paid out of the general fund of the county in equal monthly installments.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Felix L. Williams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Huntsville News, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Nov. 1, 8, 15, and 22, all in the year 1972.

FELIX L. WILLIAMS.

Sworn to and subscribed before me November 27, 1972.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Hearn, King, Hale and Grainger (with notice and proof):

H. 229. Relating to the Circuit Court of Madison County; to authorize the clerk of said court to destroy certain files and records in all civil and criminal cases after a certain period of time and providing for an official record of said files and records.

Local Legislation No. 4.

Notice and Proof H. 229:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Circuit Court of Madison County; to authorize the clerk of said court to destroy certain files and records in all civil and criminal cases after a certain period of time and providing for an official record of said files and records.

Be It Enacted by the Legislature of Alabama:

Section 1. The circuit clerk of the Madison County Circuit Court is authorized to destroy all files, shucks, covers or envelopes, together with all papers filed therein in all civil and criminal cases in the Circuit Court provided that in civil cases there has been an expiration of eleven years from the date of final judgment and that the final judgment has not been revived within ten years from the date of such judgment and provided that in criminal cases there has been an expiration of ten years from the date of final judgment. No authority is given to destroy the consolidated docket and fee book sheets.

Section 2. The consolidated docket and fee book sheets and final record books maintained by the clerk shall be considered to be the official court records of papers destroyed under the provisions of this Act.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Felix L. Williams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Huntsville News, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Nov. 1, 8, 15, and 22, all in the year 1972.

FELIX L. WILLIAMS.

Sworn to and subscribed before me November 27, 1972.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Hale, Hearn, Lutz, Wynot, Coshatt, Jones (F), Adams, Gray (F), and Erdreich:

H. 230. To regulate further license plates or tags for motor vehicles, directing the commissioner of revenue to design license plates or tags so as to adapt to Alabama the registration (license plate) numbering system developed by the American Association of Motor Vehicle Administrators.

Commerce and Transportation.

By Mr. Waldrop:

H. 231. To provide pay increases for state troopers who have completed academic requirements at junior colleges, colleges or universities, and to appropriate necessary funds.

Ways and Means.

By Messrs. Waldrop and Carnes:

H. 232. To require any automobile used by an employee of the Department of Public Safety in enforcing the state's laws to be equipped with a screen or other protective device between the front and rear seats of the vehicle.

Ways and Means.

By Messrs. Waldrop and Carnes:

H. 233. To amend Section 37 of Act No. 516, H. 769, Regular Session 1949, which Act regulates use of highways by pedestrians and vehicles, by allowing a vehicle to turn right on a red traffic signal after making a full stop.

Highway Safety.

By Messrs. Waldrop and Carnes:

H. 234. Relating to speed limits on interstate highways, providing a minimum and maximum speed on such highways and prescribing penalties therefor.

Highway Safety.

By Messrs. King, Lutz, Hearn, and Hale:

H. 235. To amend Title 36, Chapter 9 and Sections 131, 132, and 134 of the Code of Alabama, 1958, to further regulate the operation of motorcycles on highways.

Highway and Safety.

By Mr. King:

H. 236. To amend Sections 1 and 2 of Act No. 266, H. 49, 1961 Special Session (Acts 1961, p. 2282) which regulates spear fishing, so as to delete the requirements for a special spear fishing license.

Conservation.

By Mr. King:

H. 237. To amend Sections 2 and 3 of Act No. 2059, H. 862, 1971 Regular Session of the Alabama Legislature (Acts 1971, p. 3320), entitled "An Act Providing for the certification of factory-built housing; to provide for the regulation, administration and enforcement of the provisions of this Act by the Alabama Development Office; to establish certain civil remedies and actions in connection with factory-built housing and to provide penalties for violations of this Act or any rule or regulation promulgated hereunder."

Ways and Means.

By Mr. King:

H. 238. To authorize the county health departments to contract with laboratories approved by the Director of State Laboratory Services of the Alabama Health Department for needed special health services required by the county health department.

Health.

By Messrs. King, Roberts, Hale, Lutz, Barkett, Flipppo, Carter, Carnes, Waldrop, Coshatt, St. John, McDonald, Ellis, Grainger, Adams, Stewart, Gray (F) and Culver:

H. 239. To authorize the governing body of any county to create a county planning commission; to permit members of the county governing body, including its presiding officer, to serve on a county planning commission; to provide for the organization, powers, jurisdiction, personnel, and financial and legal status of such commissions; to authorize the county to adopt regulations for the subdivision of land within the county, and to provide for their administration through a county planning commission; to authorize the county to divide the county into districts and within such districts regulate the use of land, the height, bulk, and use of buildings and structures, the density of population; to provide for county boards of zoning adjustment and define the authority, powers, and functions of such boards, and the procedure and appeals from their decisions; to provide remedies in the enforcement of resolutions and regulations made by the county under the authority of this act; to provide for penalties for violations thereof; to provide for the county and municipalities to join with other counties or municipalities to establish planning regions and create regional planning commissions and to provide for the organization, powers and duties of such regional planning commission.

Local Government.

By Messrs. King, Lutz, Grainger, Hearn and Hale:

H. 240. To amend Section 4 of Act No. 284, H. 414, Regular Session 1949, (1949 Acts, p. 408), now appearing as Section 78 (22), Title 23 of the 1958 Recompiled Code of Alabama, which relates to stipulations and connections as to state maintenance of municipal connecting link roads, so as to require that the state furnish traffic lights for municipalities.

Ways and Means.

By Messrs. King, Grainger, Hearn and Hale:

H. 241. To amend further Section 41 of Title 36 of Code of Alabama, 1940, which relates to rules of the road concerning restrictions on certain lights, so as to prohibit the use of red or blue lights on any vehicles except those used by police, fire, or ambulance agencies; or any other emergency, rescue, or similar agency authorized by the local law enforcement department to use such lights.

Highway Safety.

By Messrs. Waldrop, Carnes and Wynot (with notice and proof):

H. 242. Relating to Etowah County; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Local Legislation No. 1.

Notice and Proof H. 242:

A BILL
TO BE ENTITLED
AN ACT

Relating to Etowah County; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The Alabama Alcoholic Beverage Control Board may in its discretion grant permits to licensed retailers to sell or dispense draft or keg beer or malt beverages anywhere within Etowah County. The provisions of Code of Alabama 1940, Title 29, Section 34 to the contrary notwithstanding, and the board may revoke any such permit so granted if, in the judgment of the board, the sale of draft or keg beer or malt beverages in the community is prejudicial to the welfare, health, peace and safety of the people of the community or of the state.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Geraldine M. Gladden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv. Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on October 6th., 13th., 20th., and 27th., all in the year 1972.

GERALDINE M. GLADDEN.

Sworn to and subscribed before me December 5, 1972.

PEGGY ANN CULBERSON,
Notary Public.

By Mr. Drake:

H. 243. To create a State Board of Auctioneers which shall administer and enforce the licensing of auctioneers in this state; to provide that licensees keep certain records; to assess fees; and to provide penalties for violations of this act.

Ways and Means.

By Messrs. Drake and St. John:

H. 244. To abolish the Office of County Solicitor of Cullman County, Alabama, and to extend the power, authority and duties of the District Attorney of the Thirty-Second Judicial Circuit to require that he prosecute or supervise the prosecution of all misdemeanors and all felonies in any and all inferior courts in said Judicial Circuit and to perform all duties heretofore performed by the County Solicitor of Cullman County, and creating the Office of Deputy District Attorney for said Judicial Circuit to be appointed and serve at the pleasure of the District Attorney; setting the qualifications and salary of said Deputy District Attorney.

Ways and Means.

By Messrs. St. John, Drake and McDonald:

H. 245. Relating to the Thirty-Second Judicial Circuit; providing for an additional circuit judge in such circuit.

Ways and Means.

By Messrs. St. John, Carter and Drake:

H. 246. To make a conditional appropriation to the Alabama Student Assistance Agency to finance tuition grants to resident students attending private colleges in Alabama.

Ways and Means.

By Messrs. St. John, Carter and Drake:

H. 247. To provide tuition grants to resident students of the State of Alabama who are attending private accredited colleges or universities in Alabama.

Ways and Means.

By Mr. St. John:

H. 248. To amend Section 3 of Act 437, H. 713, Acts of Alabama, 1949, page 633, which relates to establishing a sinking fund by municipalities, by amending Section 3 of said act so as to authorize employment of a savings and loan association, organized either under the laws of the State of Alabama or of the United States, to act as Trustee of such sinking fund.

Banking.

By Messrs. Lyons, Nettles, Therrell, Callahan, Roberts, Collins, Wood, Downing and Stokes:

H. 249. Relating to automobile license tags; authorizing the secretary of the USS Alabama Battleship Commission to use a special tag number.

Commerce and Transportation.

By Messrs. Callahan, Therrell, Downing, Waggoner, Roberts, Collins and Nettles:

H. 250. Relating to presidential elections; providing for the names of candidates for President and Vice President of the United States to be printed on ballots; providing further for the election and appointment of presidential electors; and repealing conflicting laws.

Constitution and Elections.

By Messrs. Callahan and Collins:

H. 251. To make an appropriation to the Department of Public Safety from the General fund of the State for certain communications system conversion requirements as recommended by the State Communications Master Plan.

Ways and Means.

By Mr. Gray (F):

H. 252. Providing for the proceedings in forma pauperis in courts of this state; providing for the payment for such proceedings by the levy of certain additional fees and authorizing the expenditure of county funds therefor.

Judiciary.

By Mr. Stokes:

H. 253. To amend the Code of Alabama, 1940, Title 34, Section 6, relating to performance of civil marriage ceremonies, so as to include the authorization of all Inferior Court Judges or Statutory Court Judges with less position than Circuit Court Judges to perform marriage ceremonies.

Judiciary.

By Mr. Stokes:

H. 254. To revise, amend and reenact Act No. 866, S. 10, 1965 Regular Session (Acts 1965, p. 1614), which relates to required coverage in motor vehicle bodily injury liability insurance policies and requires a provision insuring the insured for damages from the owner or operator of an uninsured motor vehicle and provides for the insured to have the right to reject such coverage, so as to require the insurer to file certain reports with the State Department of Public Safety and to prescribe penalties.

Insurance.

By Mr. Stokes:

H. 255. Relating to state, city and county sales taxes; prescribing a bracket system for the uniform collection of such taxes on fractional parts of a dollar; prescribing penalties for violations and providing for the interpretation of the act.

Ways and Means.

By Mr. Stokes:

H. 256. To provide that a school teacher or public employee employed by a public school system, the State Board of Education, the State Department of Education, State Senior Colleges and Universities, State Junior Colleges, State Vocational Technical Schools, the Alabama Commission of Higher Education and the Alabama Education Study Commission or any other State educational institution or agency, shall continue to draw his full salary for a certain period when incapacitated as a direct result of an on the job injury; to provide that payment of such benefits shall not exhaust his accumulated sick leave and to authorize standards for carrying out the provisions of this Act.

Ways and Means.

By Mr. St. John:

H. 257. To amend Sections 379, 380, 383, 388 and 389 of Title 55, Code of Alabama 1940, relating to state depositories and procedures in connection therewith, so as to provide that a savings and loan association, organized under the laws of the State of Alabama or of the United States, may be designated as a state depository and providing procedures therefor.

Banking.

By Mr. St. John:

H. 258. To amend Act No. 246, Page 203, Acts of 1943, which relates to the investment of funds of counties, cities and towns so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States may be appointed as a depository of municipal or county funds.

Banking.

By Mr. St. John:

H. 259. To further amend Section 4, Title 12, Code of Alabama 1940, as amended, so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States, may be appointed as a depository for county funds.

Banking.

By Mr. St. John:

H. 260. To amend Sections 1 and 6 of Act #3, H. 64, approved June 20, 1967, (Acts of 1967, Vol. 1, p. 336), an act entitled "An Act to provide for the deposit of money of the state in state depositories in demand deposits and in time deposits, open account and to provide for the payment of interest on that money deposited in time deposits, open account; to provide for the payment of interest so earned into the State Treasury to the credit of the General Fund of the State; to provide for the posting of security for such deposits in excess of amounts insured by Federal Deposit Insurance Corporation; to prescribe penalties for violations of this act, and to repeal inconsistent laws," so as to authorize the State Treasurer to deposit the money of the state in a savings and loan association organized either under the laws of the State of Alabama or of the United States.

Banking.

By Mr. St. John:

H. 261. To further amend Section 265, Title 37, Code of Alabama, 1940, which section relates to investment of sinking funds so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States, may be appointed as a depository of sinking funds.

Banking.

By Messrs. Lyons, Hobbie, Owens, McCorquodale, Jones (F), Mims, Therrell, Collins, Hardin, Bassett, Wise, Benton, Jackson, Lang, Crawford, Connell, Snell, Adams, Smith (K), Edwards, Hale, Coshatt, Wynot, Carnes, Waldrop, Hearn, Bank, Weeks, Falkenburg, Ellis, Boles, Bowers, Jones (E), Timmons, Parker, Culver and Turner:

H. 262. To amend Section 24, Title 46, Code of Alabama 1940, as amended, which relates to the annual meeting of the State Bar Association, so as to require that the annual meeting be held within this state.

Intergovernmental Cooperation.

By Messrs. Lyons, McCorquodale and Owens:

H. 263. To amend Section 2 of Act No. 160, H. 59, Third Special Session 1971 (Acts 1971, p. 4404), entitled "An Act To provide the manner and

method by which Statewide Property Reappraisal shall be carried out and to spell out the responsibilities of all parties concerned and to provide for the enforcement of such a program by the Department of Revenue of the State of Alabama," so as to add a proviso that the Department of Revenue shall not have any authority or power to establish any rule, regulation, criteria or standard that shall require or allow any appraisal of real property to include the inside inspection of any human residence in this state.

Ways and Means.

By Messrs. Lyons, Drake, McCorquodale and Hill:

H. 264. To provide that all highway user taxes collected or received by any county where the construction and maintenance of roads and bridges has been taken over by the State Highway Department shall be paid to the State Highway Department for expenditure on the public roads and bridges of that county; to define the term "highway user" taxes; repealing all local, special and general laws which conflict with the provisions of this act; to make the provisions of this act effective September 30, 1973.

Commerce and Transportation.

By Mr. Stokes:

H. 265. To provide for the formation of local school board employee groups for the purpose of securing group insurance and other benefits.

Ways and Means.

By Mr. Stokes:

H. 266. To require mortgagees to pay interest on certain funds of mortgagors which are held in trust or escrow.

Insurance.

By Mr. Stokes:

H. 267. To make it a criminal offense to obtain or retain possession of any rented or leased personal property by certain fraudulent methods, including the giving of a false identity; to make it a criminal offense to retain leased or rented personal property after failing to return it at a time and place agreed upon in writing or after written demand has been made therefore; to prescribe the penalties for such crime; to provide defenses to civil actions arising out of the arrest or detention of persons under the provisions of this act; and to make the provisions of the act cumulative.

Judiciary.

By Mr. Stokes:

H. 268. To amend Code of Alabama, Title 14, Sections 331 and 334; which sections define and distinguish the offenses of petit and grand larceny, so as to raise the dollar amount of property stolen or converted, which distinguishes petit larceny from grand larceny.

Judiciary.

By Messrs. Lyons, Collins, Roberts, Perloff, Robertson, Wise, Lang, Callahan, Waggoner, Stokes, Downing, Hardin, Owens, Carter, Bassett, Drake, Timmons, Jones (F), Nettles, Bank, Parker, Hobbie, Brassell,

1st Day

Bowers, Wood, Harris, Mims, Warren, Connell, Crowe, Stewart, Agee, O'Daniel, Turner, Hale, McCorquodale, Casey, Wynot and Smith (P):

H. 269. To provide for the organization of a public corporation of the state under the name of Alabama State Docks Authority; to abolish the Alabama State Docks Department and transfer to the public corporation created pursuant to this Act all the powers, privileges, rights, funds, property, books, records and effects of the Alabama State Docks Authority and its board of directors; to provide for the meetings of the board of directors; to provide for the Authority's powers; to provide for the appointment by the Authority of the chief executive officer of the Authority who shall exercise all the powers and duties vested in the Authority, and one or more assistant executive officers, and to fix their terms of office and their salaries; to provide for the making of an annual report by the Authority to the Governor and the legislature and such recommendations to the legislature as the Authority may from time to time deem appropriate; to authorize the Authority to delegate to the chief executive officer or other officials of the Authority such of its administrative powers and functions as it may deem proper; to authorize the issuance of general obligation bonds of the state in principal amount not exceeding \$115,000,000 and designating the Authority as the agency of the state with respect to the sale and issuance thereof, and to provide that the said bonds and the income therefrom shall be exempt from all taxation in the state; to authorize the Authority when it deems such action advantageous, to act as the agency to provide for the refunding of any outstanding bonds, matured or unmatured, that were originally issued by the state, the Authority, or the Alabama State Docks Department with respect to State Docks Facilities; and to repeal any parts of laws conflicting with the provisions of this Act.

Commerce and Transportation.

By Messrs. Lyons, Collins, Roberts, Perloff, Robertson, Wise, Lang, Downing, Callahan, Waggoner, Stokes, Hardin, Owens, Carter, Bassett, Drake, Jones (F), McCorquodale, Timmons, Nettles, Bank, Wynot, Parker, Hobbie, Brassell, Bowers, Wood, Harris, Mims, Warren, Connell, Crowe, Stewart, Agee, Turner, Hale and Smith (P):

H. 270. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in the promotion, development, construction, maintenance, improvement, expansion, and modernization of the State Docks facilities at the Port of Mobile and along the inland waterways of the State; to authorize the state to become indebted and to issue in connection therewith its interest bearing general obligation bonds in principal amount not exceeding one hundred fifteen million dollars (\$115,000,000); to authorize the state to establish a public corporation with the powers and resources necessary to undertake the obligations authorized by this amendment to be undertaken by the state, including acting as the agency of the state in authorizing, selling, and issuing the said general obligation bonds of the state; to designate the composition of such public corporation; and to authorize such public corporation to appoint a person of at least ten (10) years' experience in marine terminal operations, foreign trade development and transportation in the field of water-borne commerce as the chief executive officer of such public corporation and to fix his term of office and his salary.

Commerce and Transportation.

The above bill was read a first time at length as required by the Constitution.

1st Day

By Messrs. Lyons, Collins, Roberts, Perloff, Robertson, Wise, Lang, Bowers, Callahan, Downing, Waggoner, Stokes, Hardin, Owens, Carter, Bassett, Drake, Jones (F), McCorquodale, Timmons, Nettles, Bank, Parker, Hobbie, Brassell, Wood, Harris, Mims, Warren, Connell, Crowe, Stewart, Agee, Turner, Cottingham, Hale, Casey, Wynot and Smith (P):

H. 271. To amend further the Code of Alabama 1940 as amended, Title 48, Chapter 2, Article 1, Section 103 relating to the exemption of governmental owned transportation companies from the authority of the Alabama Public Service Commission's rates and regulations.

Commerce and Transportation.

By Messrs. Brassell, Adams and Turnham:

H. 272. To further amend Section 18, as last amended, of Act No. 403, H. 330, 1971 Regular Session (Acts of 1971, p. 689), entitled "An Act requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor," so as to add Russell County to the list of counties to which the Act shall not apply.

State Administration.

By Mr. Collins (with notice and proof):

H. 273. To amend Act No. 111, H. 419, Regular Session 1955 (Acts of Alabama 1955 p. 356) Entitled "An Act To Fix the salary of the tax collector of Mobile County, and to regulate the payment thereof," and to repeal conflicting laws.

Local Legislation No. 3.

Notice and Proof H. 273:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To Amend Act No. 111, H. 419, Regular Session 1955 (Acts of Alabama 1955 P. 356) entitled "an act to fix the salary of the tax collector of Mobile County, and to regulate the payment thereof," and to repeal conflicting laws.

Be it Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 111, H. 419, regular session 1955 (acts of Alabama, 1955, P. 356), as amended, entitled "an act to fix the salary of the tax collector of Mobile County, and to regulate the payment thereof," is amended further to read as follows:

1st Day

"Section 1. The tax collector of Mobile County shall be compensated on a salary basis. He shall be paid a salary of twenty-two thousand five hundred dollars (\$22,500.00) per annum. Such salary shall be paid in twelve equal monthly installments in the manner prescribed by Act No. 241, H. 401, approved August 15, 1935."

Section 2. The provisions of Act No. 241, H. 401, regular session 1935 (local acts 1935, P. 139) and all other laws in conflict herewith are hereby repealed.

Section 3. This act shall take effect at the commencement of the term of office of the tax collector of Mobile County which begins next after the passage and approval of this act.

Judy Beasley being sworn, says that she is Bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register April 4, 11, 18, and 25th.

JUDY BEASLEY.

Sworn to and subscribed before me this 25th day of April 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. Wood:

H. 274. To provide that any health, hospitalization, surgical, or other medically-related insurance coverage of newborn infants who are included under any such family-type insurance policy issued in this state shall begin immediately from the moment of birth of such infant; and that the coverage and insurability of such infant shall not be disclaimed or otherwise denied by the insurer of such policy.

Insurance.

By Messrs. Wood, Robertson, Therrell and Crowe:

H. 275. To provide for the establishment of fair labor standards in the State of Alabama by regulating wages and hours for employees in the State of Alabama, delegating to the Director of Labor the duty of administering the Act and providing for its enforcement.

Commerce and Transportation.

By Messrs. Wood, Perloff, Nettles and Downing:

H. 276. To provide that in all counties having populations of not less than 300,000 nor more than 500,000 inhabitants according to the last or any succeeding census, the county governing body of such counties is authorized to pay a monthly pension to any public law librarians upon retirement.

Local Legislation No. 3.

By Mr. Wood:

H. 277. To amend Title 31, Section 45 of the Code of Alabama, 1940, which relates to the fees and costs involved in a wrongful possession suit under landlord-tenant relations of Title 31, so as to add a provision in regard to

REGULAR SESSION
1st Day

113

counties having a population of not less than 300,000 nor more than 500,000 inhabitants according to the most recent federal decennial census, providing that the cost of all items, except witnesses fees, shall be \$2.00 in such counties.

Local Legislation No. 3.

By Mr. Wood:

H. 278. To amend Section 11 of Act No. 31 adopted at the Second Special Session of the Legislature of Alabama of 1956, which act is applicable to any county having a population of not less than 225,000 nor more than 525,000 inhabitants according to the last or any subsequent federal census and requires the installation in each such county of an improved system of indexing and recording documents affecting the title of property and recorded in the office of the Judge of Probate of such county, and which act provides for a special recording fee in each such county for financing said system by the issuance of warrants of such county, so as to provide for the microphotographing of instruments recorded as a part of said improved system; so as to modify the provisions of said Act No. 31 requiring the discontinuance of a special recording fee and to provide for the continuance of said special recording fee which shall be paid into the general fund of each such county under certain conditions.

Local Legislation No. 3.

By Messrs. Perloff, Stokes, Wood, Erdreich, Carnes, Casey, St. John, Boutwell, Falkenburg, Lutz, Gray (F), and Bowers:

H. 279. To provide that a defendant in a criminal or quasi criminal action in this State may enter the plea of nolo contendere.

Judiciary.

By Messrs. Perloff, Wood and Therrell:

H. 280. To repeal Act No. 2441, H. B. 821, 1971 Regular Session (1971 Acts, p. 3903) entitled "To provide that the Governing Body of any Municipality having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census, may appoint the Chief of Police of such Municipality in event of a vacancy, from the number of officers of the police force who hold the rank of captain or above, without regard to any Civil Service or Personnel Board rules or regulations concerning such appointment and providing that such Governing Body may fix the compensation of said Chief of Police."

Local Legislation No. 3.

By Messrs. Perloff, Collins, Callahan, Nettles, Stokes, Therrell, Wood, Roberts, Downing and Lyons:

H. 281. In all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent federal decennial census to authorize and make provision for the incorporation of airport authorities as public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing, and operating airports, heliports, airport buildings and facilities, including offices, hangars, and facilities for airlines, and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining,

repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions, or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by any such authority and leasing or letting such buildings, structures or facilities; to provide that in order for any such authority to be organized, application must be made to the governing body of one or more counties, cities or towns in Alabama, and permission for organization of such authority must be obtained from each such governing body to which application is made; to provide for the selection of the Directors and Officers of each such authority; to authorize any existing airport authority organized under the provisions of Act No. 265, 1963 Acts, Page 696, Et Seq. to amend its corporate charter to comply with the provisions of this act, and to fix the number and terms of office of the directors of such authority and to provide for their appointment; to specify the powers of each such authority; to endow each such authority with eminent domain and zoning powers; to exempt each such authority from laws, ordinances and regulations relating to zoning or relating to the advertising and award by the state and its departments of construction or purchase contracts; to provide that any county, city, town, or other political subdivision, public corporation, agency or instrumentality of this State within this State may aid and cooperate with any such authority in the planning, undertaking, acquisition, construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer to any such authority money, property (including existing airports and airport facilities) or any right capable of transfer; to provide that no action or suit shall be brought or maintained against any such authority or any director thereof for or on account of the negligence of the authority or director or of its or his agents, servants or employees; to authorize the issuance by each such authority of interest bearing revenue bonds payable solely out of the revenues of the authority issuing such bonds; to specify provisions of such revenue bonds issued by any such authority and to provide that such revenue bonds shall be deemed negotiable instruments; to provide that such revenue bonds issued by any such authority may be secured by pledge of any of the revenues of the authority issuing such bonds, whether the authority's right to such revenues then exists or may thereafter come into existence and by mortgage on any property of any such authority whether then in existence or thereafter acquired; to provide that such pledge may be provided for in an indenture between the authority issuing such bonds and a trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county in which the principal office of the authority is located and in any other county in which there is located any property of the authority, the revenues from which are so pledged; to provide that any such authority may include in any indenture or resolution authorizing the issuance of such bonds provisions customarily contained in instruments securing evidence of indebtedness; to provide that bonds issued and contracts entered into by any such authority pursuant to this act shall not constitute or create a debt of the State or of any county, city or town within the State; to specify the uses to which the proceeds of revenue bonds issued by any such authority may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by any such authority and the income therefrom and the property and income of any said authority; to authorize the investment of any idle funds of any coun-

ty, city or town within this State in bonds issued by any such authority; to provide that bonds issued by any such authority shall be legal investments for fiduciaries, savings banks and insurance companies; to authorize the publication of notice of the adoption of any resolution authorizing the issuance of bonds by any authority and specifying the time after such publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and the proceedings authorizing the same; and to provide for the dissolution of any such authority and the disposition of its property.

Local Legislation No. 3.

By Messrs. Lutz and Hearn:

H. 282. To amend further Section 388 of Title 51, Code of Alabama, 1940, which relates to exemptions from the state income tax on individuals.

Ways and Means.

By Messrs. Brassell, Adams, and Turnham:

H. 283. Relating to Inferior Courts in lieu of all Justice of the Peace Courts in a named precinct in the county in all counties having populations of not less than 42,000 nor more than 49,500 inhabitants according to the most recent federal decennial census; to provide further for the expense allowance of the judge and the constable of said court; levying a trial tax of one dollar in civil cases and two dollars in criminal cases to be paid to the county; requiring the county to furnish all supplies, office equipment, postage, telephone and office space for the judge of said court; and increasing the jurisdiction of said court to five hundred dollars in civil cases.

Local Legislation No. 1.

By Messrs. Adams, Brassell, and Turnham

H. 284. To amend Section 5 of Act No. 166, H. 57, Third Special Session 1971 (Acts 1971, p. 4413), entitled, "An Act to amend Title 51, Section 17, Code of Alabama 1940, so as to provide for a system of classification of property for ad valorem tax purposes, and to provide alternative procedures with respect to ad valorem taxes levied by an authority other than the State; to describe and define the various classes of property and to fix with respect to such classes the ratios of assessed value to the fair and reasonable market value of property within such classes; to provide for certain exemptions from taxation."

Ways and Means.

By Messrs. Waggoner, Doss, Weeks, Bowers, Wallace, Meeks, Boutwell, Falkenburg, Jones (E), Timmons, Callahan, McBride and Collins:

H. 285. To authorize each of the municipalities in this State to provide buildings and other facilities for lease to and use by one or more regional, national or international association or organization, one or more of the purposes or objects of which shall consist of one or more of the following: the promotion of patriotism or good citizenship, the development of civic pride or consciousness, the improvement of trade, business, professional or economic conditions, or the promotion of health, safety, conservation, community beautification, or community welfare, and the membership of which regional, national or international association or organization shall include (1) persons, firms or corporations residing or domiciled in not less than twelve of the states of the United States, including at least two such members residing or domiciled in the State of Alabama, or (2) local organizations or clubs with like

objects or purposes situated in not less than twelve of the states of the United States, including at least two such organizations or clubs situated in the State of Alabama; to authorize municipalities to acquire one or more projects consisting of buildings for the supplying of offices, storage and related facilities to such regional, national or international organizations, together with any lands or interests therein deemed desirable in connection therewith, to improve, enlarge, expand, equip, furnish, insure and maintain one or more such projects, to lease such properties subject to certain specified requirements, to finance the cost of such acquisition, improvement, enlargement, expansion, equipment and furnishing by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties and to enter into contracts and agreements and to do all acts necessary for or incidental to the performance of the duties and the execution of the powers of a municipality under said Act; to provide that such bonds shall not be subject to the laws of the State of Alabama governing usury; to authorize the re-funding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the Act; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder and any deeds or other documents whereby properties are acquired by a municipality under the Act; to prohibit any municipality from making contributions to the cost of any such properties and from furnishing land therefor; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that the provisions of Act No. 217 of the 1967 Special Session of the Legislature which relate to competitive bidding shall not be applicable to any contracts made by municipalities under the Act; and to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Ways and Means.

By Messrs. Adams, Hearn and Snell:

H. 286. To provide per diem allowance for state officers.

Ways and Means.

By Messrs. Waggoner, Wallace, Weeks, Jones (E), Meeks, Gafford, Ellis, Boles, Timmons, Dill, Bowers, Boutwell, McBride and Doss:

H. 287. To fix and prescribe the salary of the tax collector in each county having a population of 600,000 or more according to the last or any subsequent federal census.

Local Legislation No. 2.

By Messrs. Turnham, Brassell and Adams:

H. 288. To increase the salary range for the stenographic secretary for the district attorney and circuit judge of the Thirty-Seventh Judicial Circuit.

Local Legislation No. 1.

By Messrs. Turnham, Smith (P), Agee, Brassell, Adams, Snell, Hobbie, Stubbs, Mims, Warren, Crawford and Wynot:

H. 289. To make an appropriation from funds in the State Treasury to the credit of the General Fund for the purpose of constructing and equipping a building to house a livestock and poultry disease diagnostic laboratory and an agricultural chemistry laboratory at Auburn, Alabama for use by the Department of Agriculture and Industries.

Ways and Means.

By Messrs. Turnham, Agee and Wynot:

H. 290. To provide that any conference or confidential communication between any priest, rabbi, or ordained minister and a member of his congregation or any person seeking spiritual or moral guidance shall be a privileged communication under the laws of this State.

Judiciary.

By Messrs. Turnham and Agee:

H. 291. To make an additional appropriation to the Department of Education for the fiscal year ending September 30, 1973.

Ways and Means.

By Messrs. Waggoner, Dill, Callahan, Naramore, Burgess, Stewart, Bowers, Boutwell, Doss, Weeks, Boles, Jones (E), Timmons, Brassell, Drake, Grey (D), Reid (R), Coshatt, Reed (T), Roberts, Jones (F), Barkett, Ellis, Hearn, Adams, Snell, Smith (K), McCluskey and Casey:

H. 292. To prohibit a limit on the number of times that a person, otherwise qualified, may take the Alabama Bar Examination.

Judiciary.

By Mr. Bank:

H. 293. To require all laboratories in this state to report all positive findings of active tuberculosis to the state department of public health; and prescribing penalties for violations.

Health.

By Messrs. Collins, Owens, Hardin and Stokes:

H. 294. To amend Section 5 and 8 of Act No. 652, S. 129, Regular Session 1949 (Acts 1949, p. 1006), which regulates the operation of motor-driven cycles on highways, so as to require that the headlight and rear light of motor-driven cycles shall be ignited during all hours of operation upon the public roads of this state; to provide penalties and exceptions.

Highway Safety.

By Messrs. Bank, Robertson, Parker, Turnham and Grainger:

H. 295. To amend Title 52, Section 341, Code of Alabama, 1940, to provide that the county or city superintendent may excuse a teacher from attendance at institute held prior to the beginning of the school term and to further provide that when such absence is due to sickness the teacher may be granted sick leave in accordance with policies governing such leave on any regularly scheduled work day.

Ways and Means.

By Messrs. Bank, Slate, Culver and Timmons:

H. 296. To prohibit any member of the Legislature, any officer or employee of the state or of its political subdivisions or any corporation in which any member of the Legislature or any officer or employee of the state or of its political subdivisions, or their spouse or children, who own 25% or more of its stock, from doing business with the political instrumentality employing him; and prescribing penalties.

Judiciary.

By Messrs. Hobbie, Ellis, Hearn, Smith (P), Hale, Lutz, Jones (F), Naramore, Owens, Jackson, Grey (D), Benton, May, Turnham, Barkett, Stubbs, Taylor, Headley Callahan, Burgess, Mims, Warren, Turner, Cottingham, O'Daniel, Bank, Nettles, Robertson, Waggoner, Parker, Jones (E), Timmons, Grainger, Wynot, Goodwin, Reed (T), Doss, Wise, Stokes, Smith (K), Culver, Bassett, Crowe, Collins and Hill:

H. 297. To establish a code of ethics for governmental affairs in the State of Alabama for elected and appointed state officials, members of the Legislature and members of boards and commissions; to establish the Alabama Board of Ethics for State Elected and Appointed Officials and fix its powers and duties in connection with said code with respect to elected and appointed state officials, and members of the Legislature; and to authorize and direct the State Personnel Department to provide investigative and administrative services for the said board in connection with said code, to provide prescriptive periods with respect thereto; and to provide civil and criminal penalties in connection with certain violations hereof.

Judiciary.

By Messrs. Hobbie, Collins, Bank and Jones (F):

H. 298. To further amend Section 5 of Act No. 515 of the 1945 Regular Session of the Alabama Legislature (Title 55, Section 460, Code of Alabama 1940, Recompiled 1958), as amended, relating to the State employees' and state policemen's retirement benefits, to increase the percentage used in computing such benefits for state employees to two per centum, and for state policemen to two and three quarters per centum.

Ways and Means.

By Mr. Hobbie:

H. 299. To make a supplemental appropriation to the State Agency for Social Security for the fiscal year ending September 30, 1973.

Ways and Means.

By Messrs. Hobbie, Collins, Bank, Jones (F) and Turnham:

H. 300. To further amend Section 1 of Act No. 515 of the 1945 Regular Session of the Alabama Legislature (Title 55, Section 456, Code of Alabama 1940, Recompiled 1958), as amended, which relates to the definitions under the State employees' retirement to provide that "average final compensation" for such employees be computed on the basis of the best three years of the last ten years of creditable service.

Ways and Means.

By Mr. Snell (with notice and proof):

H. 301. Relating to Chambers County: To create and establish in Chambers County, in lieu of the County Court and the Juvenile Court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Civil and Criminal Court of Chambers County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible therein; providing for the disposition of costs, charges, commissions, fines and forfeitures collected therein; providing a special trial tax on civil and criminal cases for the establishment and maintenance of a county law library; abolishing the County Court and the Juvenile Court of Chambers County; and providing for the transfer and trial of cases pending in the County Court of Chambers County, the former Justice of Peace Courts, and in the Juvenile Court of Chambers County, at the time this Act takes effect, to the Civil and Criminal Court of Chambers County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 301:

NOTICE

STATE OF ALABAMA
COUNTY OF CHAMBERS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Chambers County: To create and establish in Chambers County, in lieu of the County Court and the Juvenile Court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Civil and Criminal Court of Chambers County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible therein; providing for the disposition of costs, charges, commissions, fines and forfeitures collected therein; providing a special trial tax on civil and criminal cases for the establishment and maintenance of a county law library; abolishing the County Court and the Juvenile Court of Chambers County; and providing for the transfer and trial of cases pending in the County Court of Chambers County, the former Justice of Peace Courts, and in the Juvenile Court of Chambers County, at the time this Act takes effect, to the Civil and Criminal Court of Chambers County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Inferior Court Created. There is hereby established in Chambers County a court with county-wide limited jurisdiction of criminal cases and civil actions at law. The court shall be known as the "Civil and Criminal Court of Chambers County, Alabama." It shall be in lieu of the County Court and the Juvenile Court of said county which are hereby abolished.

Section 2. Jurisdiction. (a) Except as provided in subsection (b) following, the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings and cases (including bastardy proceedings, actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment, or actions in the nature of action in ejectment), cognizable before a circuit court, or a county court, or a juvenile court, or justices of the peace, immediately before the abolition thereof, or courts created in lieu thereof, and all courts of like jurisdiction. It shall have authority to punish contempts by fine not exceeding fifty dollars (\$50.00), and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleading, procedure and practice, provided such rules and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and law-made rules governing the practice and procedure of courts of record.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of any civil action when the matter or sum in controversy exceeds two thousand dollars (\$2,000.00), exclusive of interest and attorney fees, nor take cognizance of any matter or proceeding in equity.

Section 3. Judge. (a) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1974, and every six (6) years thereafter. His term shall be for six (6) years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) Immediately after the passage of this Act, the County Commission of Chambers County, Alabama, shall elect one person as judge who shall hold office until his successor is elected and qualified as herein provided.

(c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution, in the manner provided by law. Neither the judge, his associate, nor his partner shall practice law in any criminal case in any court in Chambers County, nor shall they appear as counsel in any case in this court, and the judge shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

(d) The judge shall receive a salary of \$13,000.00 per annum, payable out of the general fund of the county in equal monthly installments.

(e) The judge shall have authority to (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, habeas corpus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and ne exeat returnable to a court of proper jurisdiction; (3) administer oaths and take acknowledgements; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of

the peace, immediately before the abolition thereof, including that of magistrates on preliminary examinations. In exercising jurisdiction in juvenile court cases the provisions in Chapter 7, Title 13 of the Code of Alabama, 1940, and amendments, shall apply.

(f) The judge shall keep an office in such place or places as may be provided by the Chambers County Commission. His office shall be suitably equipped, furnished, and provided at the expense of the county with a court clerk, one or more deputy clerks, and such office supplies and stationery, stamps, furniture, fixtures, and other materials as may be necessary for the transaction of the business of the court.

(g) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code.

(h) The judge of this court shall have been a resident in and a qualified elector of the County of Chambers for at least one (1) year at the time of his appointment or election. He shall be at least twenty-five (25) years of age, and learned in the law, and shall have been admitted to the practice of law in this State.

Section 4. Sessions. (a) There shall be a LaFayette Division and a Valley Division of the Court. The LaFayette Division shall include and be composed of the following Commissioners' Districts in Chambers County, viz: Districts one (1) and two (2); and the Valley Division shall include and be composed of the following Commissioners' Districts, viz: Districts three (3), four (4), and five (5). The sessions of the Court of the Valley Division shall be held at some place in the City of Lanett or in the police jurisdiction thereof, and the sessions of the LaFayette Division of the Court shall be held at the courthouse in the City of LaFayette. The court, at the discretion of the judge, shall be open any day during the week, except Sunday, for the trial of cases coming within the jurisdiction of the court. On the second and fourth Monday of each month there shall be held a session of the court for the handling, trial and disposition of all cases therein pending in the Valley Division, which shall continue as long as necessary to dispose of the docket. On the first and third Monday of each month, there shall be held a session of the court for the LaFayette Division. But any session of the court in either of the divisions may be dispensed with and continued by the judge when, in the opinion of the judge, the public good or public necessity requires such continuance. As to all civil and criminal actions of which the court shall have jurisdiction, the venue of the acts shall be determined as if each of the two divisions of the county hereinabove provided for constituted a separate county, except that as to any actions instituted in either division of the court, the judge of the court shall have the power and authority to order the transfer or removal of any such action to the other division of the court for trial. All suits and actions on contract or in tort except as otherwise provided in this Act must be brought in the division in which the defendant or one of them resides on in which the debt was created or cause of action arose.

(b) The sheriff shall attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the county court or the circuit court except in juvenile court proceedings where attendance shall be within the discretion of the judge.

Section 5. Practice and Procedure. (a) Except as otherwise provided in this Act, the practice, procedure and process of the court as to parties,

trial, competency of witnesses, admissibility of evidence, the taking of depositions, the filing of interrogatories to opposing parties, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice, procedure and process governing the circuit courts.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process as required by law shall issue, the defendant shall appear and plead, answer or demur thereto within fifteen days, and the process issued shall so recite.

Section 6. Juries. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 7. Costs. (a) For their attendance upon the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the county courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts; provided, however, that in cases where the amount in controversy does not exceed \$300.00, exclusive of interest and attorney fees, witness fees and allowances shall be those heretofore prescribed for justice courts immediately before the abolition thereof.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs and commissions for the use of the officers of the county as follows: (1) in each civil action at law, if the sum in controversy does not exceed three hundred dollars (\$300.00), exclusive of interest and attorney fees, the same as heretofore taxed in justice courts immediately before the abolition thereof; (2) in every other civil action at law, the same as in the circuit court. In every criminal case, the same as in county courts, including fees as provided by Section 86 repealed of Title 11 of Code 1940, except that fees for cases provided for hereinafter under Section 8 (b) the fees shall be as there stated.

(c) A special trial tax, in addition to any other trial tax provided by law, of one dollar (\$1.00) shall be collected in each civil action at law, if the sum in controversy, exclusive of interest and attorney fees, does not exceed three hundred dollars (\$300.00), and in every other civil action at law, and in every criminal case, a special trial tax, in addition to any other trial tax provided by law, of two dollars (\$2.00) shall be collected, for the use of the county in purchasing and maintaining a county law library.

(d) No costs shall be taxed in juvenile cases.

(e) In addition to the fines and forfeitures now provided by law to be paid into the general fund of Chambers County, Alabama, one-half (50%) of all other fines collected in this court shall be paid into the general fund of Chambers County, Alabama, for the use of the county.

Section 8. Criminal Prosecutions. (a) Prosecutions may be commenced in such court upon the sworn complaint made to the judge or the clerk of the court, who shall issue a warrant of arrest if either is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

1st Day

(b) All warrants issued in Chambers County for misdemeanors for violation of the rules of the road and other misdemeanors defined or provided for in Code of Alabama, 1940, Title 36, shall be returnable to the Civil and Criminal Court of Chambers County and shall be there tried. Except as to the special trial tax herein provided, the court costs in such cases shall be the same as provided by law.

(c) The present Assistant District Attorney of Chambers County shall be prosecuting attorney of the Civil and Criminal Court of Chambers County and shall attend all sessions of said court and do and perform all duties of a prosecuting attorney therein, and in addition shall attend and represent the State at all preliminary hearings therein and shall do and perform all duties required of an Assistant District Attorney by the Code of Alabama, 1940, Title 13, Section 256.

Section 9. Appeals and Certiorari. Any party aggrieved by a judgment, order or ruling of the court may appeal the decision as herein provided. (a) If the case is a civil case, the appeal or certiorari lies to the Circuit Court of Chambers County and shall be governed by Article 6 of Chapter 8, Title 13 of the 1940 Code, where the trial shall be de novo with trial by jury where demanded by either party as provided by Code 1940, Title 7, Section 264; or at the option of the appellant the appeal lies to the Court of Appeals, except as to actions involving possession of lands, and shall be governed by Article 1 of Chapter 3, Title 13, of the 1940 Code. Where a civil case is tried on appeal in the circuit court and the sum in controversy does not exceed three hundred dollars (\$300.00), exclusive of interest and attorney fees, the issues shall be made up as provided by Code 1940, Title 13, Section 486; otherwise the pleadings and trial shall be according to the rules of pleading and practice in the circuit court now in effect, or as hereafter amended. (b) If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Chapter 7 of Title 13 of the 1940 Code. (c) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant as prescribed by Code 1940, Title 15, Section 320; or at the option of the appellant to the Court of Appeals and shall be governed by Section 90 of Title 13 of the 1940 Code.

Section 10. Judgments. The party in whose favor, a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 7 of the 1940 Code.

Section 11. Clerk. (a) The circuit clerk of Chambers County shall be the clerk of the court herein established. He shall have authority to purchase at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business, and to employ at county expense such deputy or deputies as he shall determine necessary, who shall be required to make bond as provided by law for circuit clerks. He shall keep a seal, which shall be the official seal adopted by the court. Before entering upon the performance of his duties as clerk of the Civil and Criminal Court of Chambers County, he must give bond as required by law for clerks of county courts.

(b) It shall be the duty of the clerk to keep all the records, files and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority: (1) to administer oaths and take acknowledgements and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments and releases; (3) to approve bonds in civil and criminal cases including appeal bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter, conferred on clerks of county courts; (7) to appoint deputy clerks, who shall have the authority to exercise all powers and perform all functions of the clerk.

Section 12. Transfer of Pending Cases. All cases and actions pending in the County Court of Chambers County and in the Juvenile Court of Chambers County on the effective date of this Act shall be transferred to the court herein created and shall proceed as though begun therein. As to judgments rendered by the abolished courts, this court shall have the same power to control and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Any unsatisfied judgments rendered by any Justice of the Peace Court in Chambers County prior to the abolition of said Justice of the Peace Courts may be transferred to the civil dockets of the Civil and Criminal Court of Chambers County, Alabama, by a certified copy of said judgment being filed with the clerk of the court within six (6) months after the effective date of this Act, and the clerk of the court shall make and maintain a docket record and file in each cause as though said judgment was rendered by this court.

Section 13. Severability. The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 14. Repealer. All laws in conflict with this Act are repealed to the extent of the conflict.

Section 15. Effective Date. This Act shall become effective upon the first day of the first month after its approval by the Governor on upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 21, March 28, April 4, and April 11, all in the year 1973.

MRS. BONNIE HAND.

Sworn to and subscribed before me April 12, 1973.

GEORGE A. JACKSON,
Notary Public.

By Mr. Snell (with notice and proof) :

H. 302. Relating to Chambers County; providing further for the compensation of members of the board of registrars.

Local Legislation No. 1.

Notice and Proof H. 302:

NOTICE

STATE OF ALABAMA
COUNTY OF CHAMBERS

Notice is hereby given that bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Chambers County; providing further for the compensation of members of the board of registrars.

Be It Enacted by the Legislature of Alabama:

Section 1. The county governing body of Chambers County is hereby authorized to pay out of the county general fund the sum of \$10.00 per day to each member of the board of registrars for each day's attendance upon the sessions of the board. The compensation provided for under this act shall be in addition to any compensation of registrars payable by the state.

Section 2. This act shall become effective immediately upon its passage and approved by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 21, March 28, April 4, and April 11, all in the year 1973.

MRS. BONNIE HAND.

Sworn to and subscribed before me April 12, 1973.

GEORGE A. JACKSON,
Notary Public.

By Mr. Snell:

H. 303. To repeal Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241), relating to counties having populations of not less than

35,000 nor more than 38,000, according to the last federal decennial census, which act abolishes the Court of County Commission of such counties and creates in lieu thereof a County Commission.

Local Legislation No. 1.

By Mr. Snell (with notice and proof):

H. 304. Relating to Chambers County; abolishing the Court of County Commission of the county, and creating in lieu thereof the Chambers County Commission; dividing such county into commissioner's districts; providing for the election, terms and qualifications of the commissioners; providing that the probate judge shall have no duties with respect to the county governing body; fixing the compensation of the commissioners; providing for retroactive effect of this Act; and validating all acts of and compensation paid to said commission under the provisions of Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241).

Local Legislation No. 1.

Notice and Proof H. 304:

NOTICE

STATE OF ALABAMA COUNTY OF CHAMBERS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Chambers County; abolishing the Court of County Commission of the county, and creating in lieu thereof the Chambers County Commission; dividing such county into commissioner's districts; providing for the election, terms and qualifications of the commissioners; providing that the probate judge shall have no duties with respect to the county governing body; fixing the compensation of the commissioners; providing for retroactive effect of this Act; and validating all acts of and compensation paid to said commission under the provisions of Act No. 2001-H. 2308, Regular Session 1971 (Acts 1971, p. 3241).

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commission of Chambers County is hereby abolished, and there is created in lieu thereof the Chambers County Commission, to be composed of five commissioners as hereinafter provided. Each commissioner shall be a resident and qualified elector of a commissioner's district as provided herein, and shall be elected by the electors of the county at large at the general elections held in November of 1974 and November of 1976. Each commissioner shall serve four years from the first Monday after the second Tuesday in January next following his election, and until his successor is elected and qualified. In the event of a vacancy, the same shall be filled by appointment by the Governor for the unexpired term. Commissioners for Districts 2 and 4 shall be elected in 1974. Commissioners for District 1, 3, and 5 shall be elected in 1976.

Section 2. The commissioner's districts of the county as prescribed in Section 1 of this Act shall be divided as follows: District No. 1 shall embrace and comprise Beats 1, 2, 3, 4, 5, and 6. District No. 2 shall embrace and comprise Beats 8, 9, 10, 11, 12.

District No. 3 shall embrace and be comprised of the following sections located in Beat 7 of such county; T22N, Range 27E, Sections 1, 2, 11, 12, 13, 14, 23, and 24; T22N, Range 28E, Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30, plus all of the area within the corporate limits of the City of Lanett. District No. 4, shall embrace and be comprised of the following sections located in Beat 7; T22N, Range 27E, Sections 25, 26, 35, and 36; T22N, Range 28E, Sections 31, 32, 33, 34, and all of that portion of Section 35 and 36 not within the corporate limits of the City of Lanett; plus T22N, Range 29E, Sections 31 and 32. District 4 shall also embrace and be comprised of the following sections located in Beat 13: T21N, Range 28E, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, and 22; T21N, Range 29E, Sections 5 and 6.

District 5 shall embrace and be comprised of the following sections located in Beat 13: T21N, Range 28E, Sections 11, 12, 13, 14, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36; T21N, Range 29E, Sections 7, 17, 18, 19, 20, 27, 28, 29, 30, 31, 32, 33, and 34; T20N, Range 28E, Sections 1, 2, 3, 4, 5, and 6; T20N, Range 29E, Sections 4, 5, and 6.

Section 3. The Chambers County Commission shall have all of the jurisdiction and powers which are, or which hereafter may be vested in County Commissions, Board of Revenue, or other like governing bodies of the state by general law, or in the governing body of any such county by local law. The County Commission shall meet at least four times in each calendar month, and at the first meeting of each year shall elect a chairman from their number who shall serve as such for a one year term. Such chairman shall receive a salary of \$7,200 per annum, and the four commissioners shall receive \$6,000 per annum, each to be paid from county funds, including the road and bridge fund, in equal monthly installments.

Section 4. As of the beginning of the terms of office of the first members of the Chambers County Commission, as herein provided, the judge of probate of the county shall have no duties, powers and authority as presiding officer of the county governing body and such duties, powers and authority shall be assumed by the chairman of the commission as provided herein. Any compensation or allowances paid to the judge of probate for his duties in connection with the governing body shall cease at the time the members of the County Commission take office as provided herein.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. The provisions of this Act are retroactive to September 20, 1971, and all acts of and compensation paid to members of the county governing body as constituted under the provisions of Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241), are hereby validated, affirmed and approved.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the La Fayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 21, March 28, April 4, and April 11, all in the year 1973.

MRS. BONNIE HAND.

Sworn to and subscribed before me April 12, 1973.

GEORGE A. JACKSON,
Notary Public.

By Mr. Snell (with notice and proof):

H. 305. Relating to Chambers County; relieving the chief clerk of the probate judge of such county of any duties as purchasing agent for the county, and authorizing the governing body to appoint another such purchasing agent; repealing conflicting laws and specifically repealing Act No. 495, H. 929, Regular Session 1953 (Acts 1953, p. 623).

Local Legislation No. 1.

Notice and Proof H. 305:

NOTICE

STATE OF ALABAMA
COUNTY OF CHAMBERS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Chambers County; relieving the chief clerk of the probate judge of such county of any duties as purchasing agent for the county, and authorizing the governing body to appoint another such purchasing agent; repealing conflicting laws and specifically repealing Act No. 495, H. 929, Regular Session 1953 (Acts 1953, p. 623).

Be It Enacted by the Legislature of Alabama:

Section 1. In Chambers County, the chief clerk of the probate judge of any such county shall be relieved of all duties as county purchasing agent, at such time as the governing body of Chambers County may direct. The gov-

1st Day

erning body of the county to which this Act applies may at its discretion, appoint a purchasing agent, prescribe his powers and duties, and fix his compensation.

Section 2. All laws or parts of laws in conflict herewith are hereby repealed, and Act No. 495, H. 929, Regular Session 1953, (Acts 1953, p. 623) is hereby expressly repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the La Fayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 21, March 28, April 4, and April 11, all in the year 1973.

MRS. BONNIE HAND.

Sworn to and subscribed before me April 12, 1973.

GEORGE A. JACKSON,
Notary Public.

By Mr. Snell:

H. 306. To repeal Act No. 1696, H. 2309, Regular Session 1971 (Acts 1971, p. 2856), an act relating to all counties having populations of not less than 35,000 nor more than 38,000, according to the last federal decennial census; relieving the chief clerk of the probate judge of any duties as purchasing agent for the county, and authorizing the governing body to appoint another purchasing agent.

Local Legislation No. 1.

By Mr. Snell:

H. 307. To repeal Act No. 437, H. 774, Regular Session 1969 (Acts 1969, p. 864), which act provides for the incorporation and management of an authority for the purpose of leasing, owning or acquiring and operating coliseums, parks, exhibits, fairgrounds and other facilities in all counties having populations of not less than 37,000 nor more than 41,000, according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Snell (with notice and proof):

H. 308. To provide, in Chambers County for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultur-

al development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within said county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; to accord the authority exemption from state, county and city taxation; to provide that this act shall be given retroactive effect to August 19, 1969; and to validate the incorporation of, and all acts done by, any authority heretofore incorporated or attempted to be incorporated under the provisions of Act No. 437, H. 774, approved August 19, 1969 (Acts 1969, p. 864), as amended.

Local Legislation No. 1.

Notice and Proof H. 308:

NOTICE

STATE OF ALABAMA COUNTY OF CHAMBERS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide, in Chambers County for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within said county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; to accord the authority exemption from state, county and city taxation; to provide that this act shall be given retroactive effect to August 19, 1969; and to validate the incorporation of, and all acts done by, any authority heretofore incorporated or attempted to be incorporated under the provisions of Act No. 437, H. 774, approved August 19, 1969 (Acts 1969, p. 864), as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Provision is hereby made for the incorporation of an authority in Chambers County, which authority shall have the power to lease, or own, or otherwise acquire and provide, control and operate, coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities and places for the amusement, entertainment, recreation and cultural development of the citizens of such county. Whenever four qualified electors of the State, who shall be residents of the county in which facilities are to be located, shall file an application in writing for a permit to apply for the incorporation of an authority in the manner hereinafter provided with the county commission or other governing body of said county, if the governing body of said county shall pass a resolution which shall be entered upon its minutes, which said resolution shall provide that the said governing body deems it wise, expedient, necessary, or advisable that said authority be formed and shall authorize the persons making the application to proceed to form said authority and to serve as the first directors thereof for terms commencing from the day of incorporation and running for the respective periods prescribed in section 4 of this act, then such persons making such application shall proceed to execute, file and record a certificate as hereinafter provided for the purposes hereinafter set forth. The said application shall set forth the name which is to be adopted and used by said authority; and no name shall be used unless the use thereof is approved by the governing body in such resolution.

Section 2. Certificate of Incorporation. A certificate of incorporation shall be entitled and endorsed "Certificate of Incorporation of Authority," (blank space being filled in with the name of the authority) and shall state the name of the authority; the location of its principal office and post office address thereof; the names of seven directors who shall be the managers and officers of the authority until their successors are chosen, and who shall serve from the date of incorporation without compensation; the period, if any, for the duration of the authority; if the duration of the authority is to be perpetual, this fact shall be stated; the certificate of incorporation of such authority may also contain any provision not contrary to law which the incorporators may choose to insert for the regulation of business for the conduct of the affairs of the authority; and any provisions creating, defining, limiting or regulating the powers of the authority, its directors and members.

Section 3. Acknowledgement and Recording of Certificate. The certificate of incorporation shall be acknowledged before an officer authorized by the laws of this state to take acknowledgment of deeds. When so acknowledged the certificate may be filed with the judge of probate of the county, who shall forthwith file such certificate and record the same. When application has been made, filed and recorded, as herein provided, the applicants shall constitute a public corporation under the name proposed in the application.

Section 4. Board of Directors of Authority. Such authority formed under this subdivision shall constitute a public benefit agency of the State of Alabama and shall have a board of directors of seven members. Such board of directors shall constitute the governing body of the authority. The members of said board of directors shall serve without compensation, except they shall be reimbursed for actual expenses incurred in and about the performance of their duties hereunder. No member of the board of directors shall be an officer of the county. The original and all subsequent directors shall be elected by the governing body of the county, and they shall be so elected that they shall hold office for staggering terms. For the purpose of so staggering

the terms, the directorships shall be numbered one through seven inclusive. The first term of office of each director shall be for a number of years corresponding to the number of the directorship which he holds; and, thereafter the term of office of each director shall be seven years. Any person appointed to any vacant directorship during any term of such directorship shall be deemed appointed for the remainder of such term; provided, that if any person be appointed to any vacant directorship during the last six months of any term of such directorship, he shall be deemed appointed for the remainder of such term and for the next succeeding term of such directorship. The incumbent of a directorship may be removed from the board of directors by the commission or other governing body of the county for inefficiency, neglect of duty or malfeasance after a fair hearing or opportunity therefor. Every appointment or removal of a director shall be by resolution of the commission or other governing body of the county. A chairman and vice-chairman of said authority shall be elected by the authority from among its members, and a secretary shall be appointed, who may be or may not be a member of said board. In the absence or incapacity of the chairman, the vice-chairman shall serve as chairman and may perform such acts and duties as the chairman is authorized to perform. The power of said authority shall be vested in and exercised by the majority of the members of the authority then in office. The said authority may delegate to one or more of its members or its officers, agents and employees such power and duties as it may deem proper, and shall appoint a treasurer, who may or may not be a member of the authority, to act as custodian of all of the funds, from whatever source derived, received by said authority, and shall deposit said moneys in a separate account or accounts in one or more banks or trust companies which are duly qualified and doing business in the State of Alabama; provided, however, the authority may by resolution or by trust indenture securing the issuance of bonds herein authorized designate a fiscal agent or trustee, which shall be a bank or trust company duly qualified to do business in the State of Alabama, and may authorize such fiscal agent or trustee to receive and disburse, upon such terms and conditions (and subject to such exceptions, if any) as may be specified in such resolution or trust indenture, all funds applicable to payment of said bonds. All such banks and trust companies are authorized to give security for moneys deposited with it.

Section 5. Chambers County or any City Therein May Lease, Sell, Donate or Convey to Authority Without Election: Covenant Not to Compete. Chambers County, or any city within the county, is authorized, but not required, to lease, sell, donate or otherwise convey to the authority, real or personal property, including park properties, without the necessity of authorization by election of the qualified voters of said county, or any city therein, and the governing body of said county, or any city therein, is hereby authorized to enter into any agreements which such authority may deem necessary in order to effectuate such lease, sale, donation or transfer. Said county, or any city within said county, is further authorized to covenant with the authority, which covenant shall likewise constitute a contract with the holders of any revenue bonds, notes or other obligations thereafter issued by the authority, that it will not acquire, construct or operate, or permit the acquisition, construction or operation within said city, of any fairgrounds, exhibits, exhibitions, or other installations, facilities and places of amusement, entertainment, recreation and cultural development, in competition with the authority, so long as any bonds, notes or other obligations of the authority shall remain outstanding.

Section 6. Powers of Authority. The authority shall have the power (a) to sue and be sued; (b) to have a seal and alter the same at pleasure; (c) to appoint officers, agents and employees, including attorneys, and to fix their compensation; (d) to make by-laws for the management and regulation of its affairs; (e) to make contracts, and to execute all instruments necessary or convenient to lease or purchase and own real or personal property to be used for the furtherance of the purposes for the accomplishment of which said authority is created; (f) to construct or reconstruct or repair and maintain and operate, auditoriums, grandstands, arenas, fairgrounds, coliseums, and other installations and facilities, for the amusement, recreation and education of the citizens of the county; (g) to promote, sponsor and operate tournaments, shows, exhibitions and other amusements and recreational activities; (h) to charge fees for admission; (i) to lease or sublease to the State of Alabama or to any agency, political corporation or subdivision thereof, or to other persons, firms or corporations, any property owned or leased by the authority; (j) to acquire, by purchase, gift, lease or by the exercise of eminent domain, all real and personal properties which the Board of Directors of the corporation may deem necessary or convenient for its corporate purposes; provided, however, that in any acquisition by the authority under the power of eminent domain, the authority shall first pay into court the just compensation for such acquisition, which shall include the reasonable value of removal and dislocation costs of those persons whose property is so acquired; (k) to conduct, promote, sponsor, operate, manage or own educational, cultural, recreational facilities exhibits and exhibitions, and places of amusement and entertainment; (l) to accept or receive gifts, bequests and devises; (m) to do all things necessary or convenient to carry out the powers expressly given herein.

Section 7. Power of Authority To Issue Revenue Bonds. The authority shall have the power to borrow money and to issue revenue bonds as evidence of any money borrowed, which bonds shall be payable solely from the revenues derived from the fairs, exhibitions, amusements and other activities and enterprises in which the authority is hereby authorized to engage. As security for any money so borrowed, together with interest thereon, and any obligations incurred or assumed, the authority, in its discretion, may mortgage, pledge or otherwise transfer and convey its real, personal and mixed property, or any part or parts thereof, whether then owned or thereafter acquired, including any franchises then owned or thereafter acquired, and all or any part of the revenues derived from the fairs, exhibitions, amusements and other activities and enterprises in which the authority is hereby authorized to engage. In the resolution authorizing such revenue bonds or the mortgage given to secure the payment thereof, the authority, in addition to its other powers, shall have the power to agree with the several holders of such bonds and to make, enter into and perform covenants and agreements as to:

(a) the custody, security, use, expenditure or application of the proceeds of the bonds;

(b) the operation and maintenance of the properties held by the authority or of exhibitions, amusements, or other activities then or thereafter conducted by the authority;

(c) insurance of the properties of the authority;

(d) restrictions on the exercise of the powers of the authority to dispose, or to limit or regulate the use, of all or any part of the properties of the authority;

1st Day

(e) the payment of the principal of or interest on the bonds, the rank or priority of any such bonds as to any lien or security, or the acceleration of the maturities of any such bonds;

(f) the use and disposition of any moneys of the authority, including revenues derived or to be derived from the operation of all or any part of the properties of the authority, including any parts thereof theretofore constructed or acquired, and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired;

(g) pledging, setting aside, depositing or trusteeing all or any part of the revenues or other moneys of the authority to secure the payment of the principal of or interest on the bonds, or the payment of expenses of operation or maintenance of the properties of the authority;

(h) the setting aside out of the revenues or other moneys of the authority of reserves and sinking funds, and the source, custody, security, regulation, application and disposition thereof;

(i) the assumption or payment or discharge of any indebtedness, liens or other claims relating to any part of the properties of the authority or any obligations constituting, or which may constitute, a lien on such properties or any part thereof;

(j) limitations on the issuance of additional bonds, notes or other evidences of indebtedness or upon the incurrence of indebtedness of the authority;

(k) limitations upon the power of the authority to construct, acquire or operate, or permit the construction, acquisition or operation of any structures, facilities or properties which may compete or tend to compete with the properties, the revenues of which are pledged for the payment of the principal and interest of the bonds;

(l) payment of costs or expenses incident to the enforcement of the bonds or of the provisions of such resolution or mortgage, of any covenant or agreement with the holders of the bonds;

(m) the procedure, if any, by which the terms of any covenant or agreement with, or duty to, the holders of the bonds may be amended or abrogated, the amount of bonds, the holders of which must consent thereto, and the manner in which such consent may be given or evidenced;

(n) the terms and conditions upon which the holders of said bonds, or any proportion of them, or any trustees therefor, shall be entitled to the appointment of a receiver by any court of competent jurisdiction, which receiver may enter and take possession of the properties of the authority and operate and maintain the same and prescribe rates, rents, fees or charges, and collect, receive and apply all revenue arising from the operation of such properties in the same manner as the authority itself might do; or

(o) any other matter or course of conduct which, by recital in such resolution or mortgage is declared to further secure the payment of the principal of or interest on the bonds;

All such provisions of said resolution or mortgage and of such covenants and agreements, shall constitute valid and legally binding contracts between the authority and the several holders of the bonds, regardless of the time of issuance of such bonds, and shall be enforceable by any such holder or hold-

ers by mandamus or other appropriate action, suit or proceeding at law or in equity in any court of competent jurisdiction. The circuit court of Alabama, or any court of competent jurisdiction, shall have authority to appoint a receiver for the properties of the authority, upon the terms and conditions specified in the resolution authorizing the issuance of the bonds or in any mortgage securing the payment of the principal and interest thereof. Any mortgage given as security for the payment of said bonds may contain such agreements as the authority shall deem advisable respecting the rights and duties of the parties to such instrument or for the benefit of whom such instrument is made, including the right to foreclose or to take possession without foreclosure. Revenue bonds issued under the authority of this section may be in such form and tenor, may bear such rate or rates of interest, and have such maturities and redemption privileges as the authority shall determine.

Such bonds so issued may thereafter, from time to time, be refunded by the issuance or sale or exchange of refunding bonds at such times and in such forms and of such tenor, maturities or rate or rates of interest as may be agreed upon by the authority and the holders of the bonds so refunded if such refunding is by exchange, and as may be determined by the authority if such refunding is by sale of refunding bonds. Such authority may restrict the source of payment of such bonds and the security given therefor to whatever extent the authority shall deem advisable, but no such bonds shall purport to be effective to impose on the authority or its funds or property, any liability in excess of or inconsistent with the liability authorized to be incurred or assumed by sections one to fifteen of this act. Such borrowing may be evidenced by sale of such bonds either at private or public sale in such manner and from time to time as may be determined by the authority to be most advantageous, and the authority may pay all expenses, premiums and commissions which the authority may deem necessary and advantageous in connection with any such financing. All such bonds shall be regarded as negotiable instruments. All such bonds and all instruments executed as security therefor shall be exempt from all taxation under the laws of the State of Alabama. Neither the county nor any city in which said authority is located shall in no event be liable for any money so borrowed, nor shall the same be construed to be an indebtedness of or against said county or any city within said county. The bonds provided for herein shall be issued in the name of the corporation appearing in the certificate filed with the probate judge of the county; and said bonds shall be executed in such name by the chairman of the board of directors, attested by the secretary of the board, and thereon shall be impressed or printed the corporate seal. Coupons attached to said bonds may be executed solely by impressing or printing thereon the facsimile signature of the chairman.

Section 8. Meetings of Authority: Records to be Kept—The authority shall meet at such time as may be appropriate or necessary. An accurate record in the form of a minute book shall be kept of the business transacted, or the actions taken, at such meetings. The authority shall keep, or cause to be kept, in its principal office said minute book and in addition thereto all other books, or sets of books, documents, files, papers and letters and copies of letters pertaining to the enterprises and activities of the authority so as to afford at all reasonable hours accurate information pertaining to the activities and finances of the authority. The records of the authority shall be public records and shall be open to the inspection of any member of the governing authority of the authorizing county at all reasonable times. The authority shall at least once during each calendar year make a report in writing of its activities to the

governing body of the authorizing county, which report shall specify therein the financial condition of the authority, together with a report on the activities and plans of the authority.

Section 9. Contracts of Authority—Contracts of the authority shall be executed in the name of the authority by the chairman of the authority and attested by the secretary of the authority. Except for bonds, it is not required that the seal be impressed or printed on contracts. It is further provided hereby that, except for bonds, the authority may provide by resolution for a different form for the execution of contracts, and for the execution thereof by an officer or agent other than the chairman and secretary. But in no event shall a contract, irrespective of its form and of the persons executing the same, be binding unless such contract was authorized or ratified by the authority.

Section 10. Audit of Accounts of Authority—At least once every twelve months subsequent to the effective date of this section, the authority shall appoint and employ an expert accountant who shall make an examination in detail of all books and accounts of the authority since the preceding examination, and make a full report thereof in writing under oath, to be submitted to the authority and spread upon its minute book at the first meeting of the authority after the receipt of said report. The authority shall forward a copy of said report to each daily newspaper published in the county.

Section 11. Bond of Treasurer of Authority—The treasurer of the authority shall give bond in such sum as the authority may prescribe for the faithful performance of his duties and the safe custody of the funds, which bond shall be executed by a surety company authorized to engage in the surety business in the State of Alabama and the premium on which bond shall be paid out of the funds of the authority. The treasurer shall keep books showing accurately the financial condition of the authority.

Section 12. County, or Any City Within Said County May Make Appropriations for, and Lend Money to Authority—The county, and any city within said county in which said authority is located is authorized, but not required, to make appropriations or to lend money from time to time to the authority for the purpose of providing educational, cultural and recreational facilities, exhibits and exhibitions for amusement and entertainment. Such voluntary appropriations or loans may be upon such terms and conditions as are mutually agreeable to the authority and the county, or any city within said county.

Section 13. Obligations of Authority not Obligations of State or Political Subdivision Thereof—No debt, obligation or liability contracted or incurred by the corporation or by any director, officer, employee or agent of the corporation shall be a debt, obligation or liability of the State of Alabama or of Chambers County or of any city, town, or political subdivision of said county or State of Alabama.

Section 14. Exemption From Taxation—All property of the authority shall be exempt from state, county and city taxation; and the authority shall be exempt from license or privilege taxes levied by the state, county or city upon the business or activities conducted or engaged in by said authority; provided, however, this exemption shall not be construed to exempt concessionaires or lessees of the authority from the payment of any taxes, including licenses or privilege taxes levied by the state, county or city.

Section 15. All laws or parts of laws which conflict with this Act are repealed.

Section 16. This act shall be given retroactive effect to August 19, 1969; and all authorities heretofore incorporated or attempted to be incorporated under the provisions of Act No. 437, H. 774, approved August 19, 1969 (Acts 1969, p. 864), as amended and all acts of any such authority, including but not limited to contracts entered into and bonds issued by any such authority, are hereby validated, ratified and approved.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the La Fayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 21, March 28, April 4, and April 11, all in the year 1973.

MRS. BONNIE HAND.

Sworn to and subscribed before me April 12, 1973.

GEORGE A. JACKSON,
Notary Public.

By Mr. Snell:

H. 309. To provide for equalization of the maximum rate of interest permitted to be charged by State banks with the maximum rate permitted by State law to be charged by any competing state chartered or licensed lending institution or by Federal law to any competing national bank.

Banking.

By Mr. Snell:

H. 310. To amend Section 5 of Act No. 166, H. 57, Third Special Session 1971 (Acts 1971, p. 4413), entitled, "An Act To amend Title 51, Section 17, Code of Alabama 1940, so as to provide for a system of classification of property for ad valorem tax purposes, and to provide alternative procedures with respect to ad valorem taxes levied by any authority other than the State; to describe and define the various classes of property and to fix with respect to such classes the ratios of assessed value to the fair and reasonable market value of property within such classes; to provide for certain exemptions from taxation."

Ways and Means.

By Mr. Snell:

H. 311. To amend Sections 5 and 6 of Act No. 29, H. 43, Special Session 1970, (Acts 1969-70, Vol. III, p. 2630), which relates to the establishment of Water, Sewer, and Fire Protection Districts in the several counties, to

allow staggered terms of office for its directors so as not to affect any other district now in operation.

Local Government.

By Mr. Snell:

H. 312. To amend Code of Alabama 1940, Title 7, Section 1035, relating to civil remedies and procedure, so as to provide for garnishment of certain salaries after final judgment in cases of child support.

Judiciary.

By Messrs. Burgess, Stewart and Merrill:

H. 313. To name the fieldhouse at Ohatchee High School located in Calhoun County in honor of S. Gerald Acker.

Public Welfare.

By Messrs. Merrill, Burgess, McCorquodale, Manley, Connell, O'Daniel, Turner, Pruitt, Waggoner, Downing, Jones (F), Carnes, Lang, Wise, Bank, Casey, Fite, McCluskey, Hardin, Collins, Bassett, Mathews, Brassell, Callahan, Headley, Owens, Harris, Crowe, Lutz, Slate, Grainger, Wood, May, Wallace, Drake, Turnham, McDonald, Stewart, Reid (R), Taylor, Mims, Robertson, Meeks, Jones (E), Bowers, Boles, Timmons, Naramore, King, Hale, Grey (D), Goodwin, Warren, Hill, McBride, Reynolds, Roberts, Culver, Dill, St. John, Carter, Chesnut, Erdreich, Boutwell, Weeks, Agee, Ellis, Jackson, Benton, Kinsey, Nettles, Coshatt, Gray (F), Reed (T), Hearn, Crawford and Snell:

H. 314. Relating to motor vehicles: To provide means for the recovery of stolen motor vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State Department of Revenue; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon; to grant certain powers and authority to and impose certain duties on the State Department of Revenue and to impose penalties for violations of this Act.

Judiciary.

By Messrs. Burgess, Headley, Reid (R), O'Daniel, Dill, Stewart, Jones (F), Stubbs, Robertson, Wallace, Bowers, Boles, Smith (K), Timmons, Ellis, Brassell and Mims:

H. 315. To provide that medical services furnished needy persons under any State and/or Federal laws or plans shall include such services performed by Chiropractors.

Ways and Means.

By Messrs. Burgess, Headley, Reid (R), Dill, O'Daniel, Stewart, Jones (F), Stubbs, Robertson, Wallace, Bowers, Boles, Smith (K), Taylor, Timmons, Ellis, Brassell and Mims:

H. 316. To amend Act No. 107, H. B. 151, approved August 26, 1959 (Acts 1959, v. 1, p. 604), an act providing regulations governing the qualifi-

cations and eligibility of persons to engage in or be admitted to the practice of the healing arts.

Public Welfare.

By Messrs. Burgess, Headley, Reid (R), O'Daniel, Dill, Stewart, Jones (F), Stubbs, Robertson, Wallace, Bowers, Boles, Carnes, Smith (K), Taylor, Timmons, Ellis, Brassell and Mims:

H. 317. To provide that all contracts of insurance or policies of insurance or plans or agreements for health services issued or delivered in this State shall cover and include the services of Chiropractors.

Public Welfare.

By Messrs. Burgess, Headley, Reid (R), Dill, O'Daniel, Stewart, Jones (F), Stubbs, Robertson, Wallace, Bowers, Boles, Carnes, Smith (K), Timmons, Ellis, Brassell and Mims:

H. 318. Relating to medical, surgical and hospital service furnished by employers for injured employees, amending Section 293 of Title 26 of the Recompiled Code of Alabama of 1958, as amended.

Public Welfare.

By Mr. Burgess:

H. 319. To raise revenue; to levy a privilege or license tax against certain utilities on account of the furnishing of utility services; to prescribe the rates thereof and exclusions therefrom; to provide for issuance of a utility license; to provide for administering and collecting the tax herein levied and for penalties; and to repeal Act No. 21, H. 28, of the Special Session of 1969 (Acts 1969-70, p. 46), all acts amendatory thereto, and all laws in conflict with this act.

Ways and Means.

By Mr. Burgess:

H. 320. To raise revenue, to levy an excise tax against certain utilities on account of the selling of utility services for storage, use or other consumption in the State of Alabama; to prescribe the rates thereof and exclusions therefrom; to provide for the administering and collecting the tax herein levied and for penalties; and to repeal Act No. 37, H. 175, of the Special Session of 1969 (Acts 1969-70, p. 88), all acts amendatory thereto, and all laws in conflict with this act.

Ways and Means.

By Messrs. Mathews, Lyons, McCorquodale, Turner, Pruitt and Bank:

H. 321. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Ways and Means.

By Messrs. Mathews, Lyons, McCorquodale, Drake, Turner, Williams, Pruitt and Bank:

H. 322. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1974, and September 30, 1975.

Ways and Means.

By Mr. Mathews:

H. 323. To make appropriations from the State Treasury for capital improvements.

Ways and Means.

By Messrs. Mathews, McCorquodale, Drake, Turner, Crowe, Naramore and Reed (T):

H. 324. To make appropriations for the support and maintenance of the Walker County Junior College located at Jasper, in Walker County.

Education.

By Messrs. Mathews, McCorquodale, Turner, Smith (K) and Reed (T):

H. 325. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

Education.

By Messrs. Mathews, McCorquodale, Turner, Pruitt, Manley, Reed (T) and Cottingham:

H. 326. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

Education.

By Messrs. Mathews, Reed (T), McCorquodale, Turner and Gray (F):

H. 327. To make appropriations for support and maintenance of the Tuskegee Institute, located in Macon County.

Education.

By Messrs. Mathews, Reed (T), McCorquodale and Gray (F):

H. 328. To amend Sections 1, 2, 3, and 4 of Act #590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Education.

By Messrs. McCorquodale, Lyons, Mathews and Drake:

H. 329. To make appropriations for the operation and maintenance of the State Highway Department, for payment of the principal of and interest on bonds heretofore or hereafter issued for public highway and bridge purposes by the State, Alabama Highway Authority or Alabama Highway Finance Corporation, for salaries, other expenses, equipment purchases, automotive equipment purchases, and for the construction and maintenance of public highways and bridges in the State, which are a part of the State Highway System.

Ways and Means.

1st Day

By Messrs. McCorquodale, Mathews, Williams, Drake and Lyons:

H. 330. To make additional appropriations to the Highway Department for the construction of public highways and bridges in the state to supplement those amounts appropriated by Act No. 90, First Special Session of the Legislature 1971.

Ways and Means.

By Messrs. McCorquodale, Lyons, Mathews, Drake and Bank:

H. 331. To make appropriations for Mental Health purpose and for the payment of principal and interest on Mental Health Bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI.

Ways and Means.

By Messrs. Smith (P), Wise, Benton, Wallace, Hobbie, Barkett, Culver, Chesnut, Mims, Drake, Connell, Doss, Lang, Grainger and Easters:

H. 332. To amend Section 385, as amended, and Section 386 of Title 2 of the Code of Alabama of 1940, relating to livestock dealers, the annual permit required, bills of sale and bills of lading required thereunder; and to repeal Section 387 of Title 2 of the Code of Alabama of 1940.

Agriculture.

By Messrs. Smith (P), Wise, Benton, Wallace, Barkett, Connell, Hobbie, Grainger, Culver, Chesnut, Mims, Drake, Doss, Lang and Easters:

H. 333. To amend Sections 3, 6 and 7 of Act No. 424, H. 413, Legislature of 1963, Regular Session, approved September 2, 1963 (Acts of 1963, Vol. 2, p. 931), as amended, an Act to regulate the labeling, sale and offering or exposing for sale or distribution of agricultural, vegetable, flower, tree, shrub and herb seeds, etc.; to amend Section 3 of said Act No. 424 to prescribe the time of the test to determine the percentage of germination for agricultural and vegetable seed sold or offered for sale or distributed in hermetically sealed containers; to amend Section 6 of said Act No. 424 to require invoices of certain sales of seed sold at retail to be furnished to the buyer and that a record thereof be kept by the seller; and to amend Section 7 of said Act No. 424 to authorize the adoption of rules and regulations governing the sale of seed that are subject to the provisions of the "Plant Variety Protection Act" of the Congress of the United States.

Agriculture.

By Messrs. Smith (P), Wise, Benton, Wallace, Hobbie, Barkett, Culver, Chesnut, Mims, Drake, Connell, Doss, Lang, Grainger, and Easters:

H. 334. To repeal Section 6 of Title 2 of the Code of Alabama of 1940 which prohibits the buying, selling or other trading in, and the movement or transportation, of certain farm products after the hour of sunset and before the hour of sunrise.

Agriculture.

By Messrs. Smith (P), Pruitt, Wise, Benton, Wallace, Hearn, Hobbie, Barkett, Chesnut, Mims, Drake, Connell, Doss, Lang, Grainger, Culver and Easters:

H. 335. To further amend Section 1 of Act No. 208, S. 32, approved August 26, 1966 (Acts of Alabama, 1966 Special Session, page 256), which Act provides for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers or certain firemen who are killed in the course of employment, etc., said Section of said Act being last amended by Act No. 1130, S. 482, Legislature of 1969, approved September 13, 1969 (Acts of 1969, Vol. III, p. 2094); to further define the term "peace officer" as used in said Act No. 208, Legislature of 1966, Special Session, as amended, to include "livestock theft investigators" of the Department of Agriculture and Industries.

Agriculture.

By Messrs. Smith (P), Pruitt, Wise, Benton, Wallace, Hearn, Hobbie, Barkett, Chesnut, Mims, Drake, Connell, Doss, Lang, Grainger, Culver and Easters:

H. 336. To amend Section 1 of Act No. 238, H. 288, approved July 27, 1953 (Acts of Alabama of 1953, Vol. I, p. 303) an Act providing for the designation of certain employees of the Department of Agriculture and Industries as "Livestock Theft Investigators" with authority as peace officers, etc.; to amend said Act No. 238 to empower "Livestock Theft Investigators" in the employ of the Department of Agriculture and Industries with authority of peace officers to conduct investigations and make arrests for any unlawful offense which authority may be exercised anywhere in the State.

Agriculture.

By Messrs. Smith (P), Warren, Wise, Benton, Wallace, Barkett, Chesnut, Mims, Drake, Connell, Doss, Lang, Culver, Grainger and Easters:

H. 337. To further provide for enforcement of the anti-litter laws of the state by the assignment of one or more state troopers for such purposes.

Agriculture.

By Messrs. Smith (P), Warren, Wise, Benton, Hobbie, Barkett, Chesnut, Mims, Drake, Connell, Lang, Culver and Easters:

H. 338. To amend Title 51, Section 46, Code of Alabama 1940, which relates to estimating the value of property for the purpose of taxation.

Ways and Means.

By Messrs. Smith (P), Warren, Wise, Benton, Wallace, Hobbie, Barkett, Chesnut, Mims, Drake, Connell, Doss, Culver, Lang, Grainger and Easters:

H. 339. To make an appropriation to the department of agriculture and industries for the two fiscal years ending September 30, 1974 and September 30, 1975, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera and African swine fever.

Ways and Means.

By Messrs. Smith (P), Falkenburg, Erdreich, Hobbie, Jones (F), McCluskey, Turnham, Wynot and Grainger:

H. 340. To amend Title 52, Section 351, Code of Alabama, 1940, as

amended, to provide that certificated employees of the Alabama Institute for Deaf and Blind, Alabama Industrial School for Boys, Alabama Industrial School for Girls, and Alabama Industrial School at Mt. Meigs shall be defined as teachers and shall be covered under the Alabama Teacher Tenure Law.

Education.

By Messrs. Owens, Lyons, McCorquodale, Drake and Mathews:

H. 341. To confer additional authority upon the Governor's Mansion Advisory Board and to make an appropriation to the Governor's Mansion Advisory Board for the purchase of property in the block upon which the Governor's Mansion is located.

Ways and Means.

By Messrs. Owens, Lyons, McCorquodale, Drake and Mathews:

H. 342. To make an appropriation to the Governor's Mansion Advisory Board for the renovation, restoration, refurbishing and refurnishing of the Governor's Mansion.

Ways and Means.

By Messrs. Grainger, Carter, Hearn and Carnes:

H. 343. To amend Title 36, Section 53, of the Code of Alabama 1940.

Ways and Means.

By Mr. Grainger:

H. 344. Proposing an amendment to the Constitution of Alabama relating to the distribution and use of gasoline and motor fuel excise taxes for county and municipal purposes.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Grainger:

H. 345. To amend Title 51, Section 665(2) so as to exempt from the operation of the motor fuel tax therein imposed, motor fuel used in county and municipal vehicles, where said vehicles are used exclusively by said county or municipality in the collection and disposal of garbage, trash, and waste material.

Ways and Means.

By Mr. Grainger:

H. 346. To levy an additional excise tax upon gasoline of 2¢ per gallon, of which 1½¢ is for distribution to the several counties and cities therein, to replace revenue lost by such counties and cities as a result of the nullification of local excise taxes on gasoline under the provisions of a constitutional amendment proposed at the current session of the Legislature. The revenue from ½¢ per gallon will accrue to and be deposited as collected in the road and bridge fund.

Ways and Means.

By Mr. Grainger:

H. 347. To levy an additional excise tax upon certain motor fuels of 2¢ per gallon, and providing for the use of the proceeds of such levy.

Ways and Means.

By Messrs. Grainger, Smith (P), Waggoner, Lutz, Hobbie, Bank, St. John, McDonald, Drake, Barkett, Turnham, Stubbs, Adams, Snell, Smith (K), Headley, King, Culver, Hearn, Reid (R), Hill, Flippo, Carter, Casey, Jackson and Hale:

H. 348. To provide that county or city boards of education shall grant personal leave to teachers.

Ways and Means.

By Messrs. Grainger, Smith (P), Waggoner, Lutz, Hobbie, Bank, St. John, McDonald, Drake, Barkett, Turnham, Stubbs, Adams, Snell, Smith (K), Headley, King, Culver, Hearn, Reid (R), Hill, Flippo, Carter, Casey, Jackson and Hale:

H. 349. To provide that the boards of Alabama Institute for Deaf and Blind, Alabama Boys Industrial School, Alabama Girls Industrial School, and the Industrial School at Mt. Meigs shall grant personal leave to teachers.

Ways and Means.

By Mr. Grainger:

H. 350. To amend Act 281, 1969 Regular Session, Pages 616-618, which provides for the promotion of safe school bus transportation; prescribes certain rules and regulations designed to promote its purposes; provides for safety inspections of school buses; provides for certain special equipment for buses and for the special training and licensing of school bus drivers.

Education.

By Mr. Grainger:

H. 351. To amend Section 3 of Act 281, 1969 Regular Session, Pages 616 and 617, appearing in Code of Alabama, Recompiled 1958 and 1969 as Section 433 (48) which provides for the training of school bus drivers and the issuance of special school bus drivers license.

Education.

By Mr. Grainger:

H. 352. To amend the Code of Alabama, 1940, Title 11, Section 98, as amended, so as to increase the compensation of jurors in the state from six dollars per day to ten dollars per day and to increase the allowance for travel to and from jury service from five cents per mile to ten cents per mile.

Ways and Means.

By Mr. Grainger:

H. 353. Further regulating the payment of the costs of maintenance and operation of certain district tuberculosis sanatoria; relieving the counties

of the duty to pay a part of such costs, but authorizing payment thereof by counties on a voluntary basis; and providing for the continued operation and financing of such sanatoria if the counties do not contribute thereto.

Ways and Means.

By Mr. Grainger:

H. 354. To abolish county legislative agents in Alabama, and to repeal conflicting laws.

Judiciary.

By Mr. Grainger:

H. 355. Relating to elections: to provide that the State shall reimburse a county either in whole or in part for the expenses incurred in holding and conducting certain elections, and appropriating funds for that purpose.

Ways and Means.

By Mr. Grainger:

H. 356. To provide for the personal liability of officers, directors, incorporators, and employees of any social club or society incorporated under the authority of Title 10, Chapter 7, Article 5, Code of Alabama 1940 or any non-profit corporation incorporated under authority of Title 10, Chapter 10, Code of Alabama 1940 for failure to file a corporate sales tax return or to pay the sales tax due.

Ways and Means.

By Mr. Grainger:

H. 357. To further amend Sections 4, 10 and 15 of Act No. 784, H. 316, (page 1069) Acts of Alabama 1953 Regular Session, as amended, which provides for the regulation of fresh water commercial fishing and prescribes penalties for violations of said Act.

Conservation.

By Mr. Grainger:

H. 358. To amend Article 9 of Chapter 20 of Title 51, Code of Alabama 1940, Recompiled 1958, commonly referred to as the Alabama Tobacco Tax Laws, and particularly Section 724, 730 and 731 of Title 51, supra, to extend the provisions of said sections in order that the tobacco tax laws of this state can be better administered and enforced as against distributing agents, carriers, warehousemen and others.

Ways and Means.

By Mr. Grainger:

H. 359. In order to provide to the Department of Revenue a means of apprehending persons evading the tax on tobacco products levied by Section 718 of Title 51, Code of Alabama 1940, and acts supplemental thereto, payments of rewards are authorized for information leading to the apprehension of persons evading the tax or for information leading to confiscation of contraband tobacco products.

Ways and Means.

By Mr. Hill:

H. 360. To revise existing bail practices in the courts of Alabama to assure that all persons, regardless of their financial or social status, shall not needlessly be detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither the end of justice nor the public interest, to be known as the Alabama Bail Reform Act of 1973, and to amend certain sections of the Code of Alabama 1940 to conform with such revision.

Judiciary.

By Mr. Hill:

H. 361. To revise existing bail practices in the courts of Alabama to assure that all persons, regardless of their financial or social status, shall not needlessly be detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest, to be known as the Alabama Bail Reform Act of 1973, and to amend certain sections of the Code of Alabama 1940 to conform with such revision.

Judiciary.

By Mr. Hill:

H. 362. To provide for the Uniform Alcoholism and Intoxication Treatment Act; to create a division of alcoholism in the state mental health department, and to provide for the duties of said division; to provide for an interdepartmental coordinating committee and a citizens advisory council on alcoholism; to provide for public and private treatment facilities and enforcement procedures; to provide for voluntary, involuntary and emergency treatment of intoxicated persons; to provide for the adoption of rules and judicial procedures for hearings and trials involving said persons and to repeal conflicting laws.

Judiciary.

By Mr. Hill:

H. 363. To amend Section 210 of Act No. 1407, S. B. 414, Regular Session 1971 (Acts 1971, p. 2378), which Act is known as the Alabama Uniform Controlled Substances Act, so as to include the drug methaqualone in the controlled substances covered under Schedule IV in said Act.

Judiciary.

By Mr. Hill:

H. 364. Relating to judicial procedure; specifically regulating further actions indetinue so as to provide an opportunity for the defendant to be heard before property is taken out of his possession under a court order except in enumerated extraordinary circumstances; and for such purpose amending Code of Alabama 1940, Title 7, Sections 918, 920 and 932, and also Act No. 979, H. 232 of the Regular Session of 1951 (Acts of Alabama, 1951, p. 1653-now appearing in Section 931(1) of Title 7 in the Code of Alabama, Recompiled 1958).

Judiciary.

By Messrs. Hill, Crowe, Flippo and Hobbie:

H. 365. To amend Sections 1, 2, 5, 7, 8, 11 and 15 and repeal Section 18 of Act No. 403, H. 330, Regular Session 1971 (Acts 1971, p. 689) which act relates to requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating a Board of Barber Examiners and prescribing penalties for violation of the act.

Health.

By Mr. Hill:

H. 366. To repeal Section 107 of Title 15, and Section 220 of Title 29, Code of Alabama 1940, both of which relate to the time of executing search warrants.

Judiciary.

By Mr. Hobbie:

H. 367. To amend further Section 305, Title 55, Code of Alabama 1940, as amended, relating to tests conducted under the state merit system law, so as to permit promotions within job classifications without additional tests under certain conditions.

Ways and Means.

By Messrs. Jones (F) and Turnham:

H. 368. To establish the Alabama Zoological Board as a state agency to create, establish, operate and maintain a zoological park to be located in Lee County in the vicinity of Auburn University; prescribing the authority, powers, duties, and functions of the board members and officers; and making an appropriation to carry out the provisions of this Act.

Ways and Means.

By Messrs. King, Hale, Hearn, Grainger and Lutz:

H. 369. To authorize cities having a population of not less than 135,000 nor more than 185,000 inhabitants according to the most recent federal decennial census, to make grants to certain corporations in order to foster economic development in such cities.

Local Legislation No. 4.

By Mr. Stokes:

H. 370. To amend Title 51, Section 717(1), Code of Alabama, 1940, as recompiled, 1958, so as to provide that certain disabled veterans shall be exempt from all license fees and ad valorem taxes required by or prescribed in Article 8 of Chapter 20, Title 51 of the 1940 Code of Alabama relating to the initial and any subsequent motor vehicles purchased by such veterans.

Ways and Means.

By Mr. Stokes:

H. 371. To provide for the granting of certain powers to testamentary trustees by reference to the provisions of this Act.

Judiciary.

By Mr. Stokes:

H. 372. To amend Title 34, Section 31, Code of Alabama, 1940, so as to provide that the Court may divest interest of either spouse in the home-place; that remarriage of the wife may terminate rights to alimony; that action to recover alimony must be commenced within five (5) years, and to repeal all conflicting laws.

Judiciary.

By Mr. Downing:

H. 373. To amend Section 9-103 of Act No. 549, S. 2, Regular Session 1965 (Acts 1965, p. 811), which act creates the Alabama Uniform Commercial Code, and which Section 9-103 relates to accounts, contract rights, general intangibles and equipment relating to another jurisdiction; and incoming goods already subject to a security interest, so as to delete subsection (4) thereof; which subsection provides that the perfection of title of such secured transactions is governed by the law of the jurisdiction which issued the certificate.

Judiciary.

By Messrs. Downing and Collins:

H. 374. To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to fix their annual compensation and to regulate further their compensation.

Ways and Means.

By Messrs. Collins, Waggoner, Callahan and Lyons:

H. 375. To make an appropriation from the state treasury for the relief of Harry V. Schmidt.

Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to notify the House of Representatives that the Senate is now in session and is ready for the transaction of public business.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H.J.R. 4 - MOURNING THE DEATH OF REPRESENTATIVE BENCHER OF JEFFERSON COUNTY.

REGULAR SESSION
1st Day

149

Also:

H.J.R. 5 - MOURNING THE DEATH OF REPRESENTATIVE
JAMES D. STRAITON.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Pelham:

S.J.R. 7.

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a joint session of the House and Senate be held at 6:30 o'clock today for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama; and

BE IT FURTHER RESOLVED, That a committee of two from the Senate, to be named by the presiding officer of the Senate, and three from the House, to be named by the Speaker of the House, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

And the President and Presiding Officer of the Senate appointed as members on the part of the Senate Messrs. Givhan and Clark.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the rules were suspended and the House concurred in and adopted the S. J. R. 7 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Pelham:

S. J. R. 8. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a Committee of three members of the Senate, to be named by the presiding officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business; and

BE IT FURTHER RESOLVED That said Committee ascertain from His Excellency if he desires to address a joint session of the Legislature and, if he does desire to address a joint session, to further ascertain the time most suitable to him for such address.

And the President and Presiding Officer of the Senate appointed on the part of the Senate Messrs. Pelham, Littleton, and Fine.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the rules were suspended and the House concurred in and adopted the S. J. R. 8 set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Stokes:

H. J. R. 17. Ratifying the proposed amendment to the Constitution of the United States relating to providing equal rights to women.

WHEREAS the 92nd Congress of the United States of America at its first session, in both Houses, by a Constitutional majority of two-thirds thereof, adopted the following proposition to amend the Constitution of the United States of America in the following words, to-wit:

"JOINT RESOLUTION

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the Legislatures of three-fourths of the several States within seven years from the date of submission by the Congress:

"ARTICLE

"Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

"Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

"Section 3. This amendment shall take effect two years after the date of ratification."

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That:

1. The proposed amendment to the Constitution of the United States as herein shown be and the same is herein ratified.

2. Duly authenticated copies of this resolution shall be forwarded by the Clerk of the House to the Administrator of General Services, Washington, D. C. and to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States.

The resolution, H. J. R. 17, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Wallace, Dill, Timmons, Boles, Jones (E), Ellis, Bowers, Meeks, Waggoner, Boutwell, Weeks, Doss, Gafford, Falkenburg and Erdreich:

H. J. R. 18. COMMENDING BANKS HIGH SCHOOL FOOTBALL TEAM FOR WINNING THE STATE 4-A FOOTBALL CHAMPIONSHIP IN 1972.

WHEREAS Banks High School of Birmingham has completed one of its finest football seasons with twelve wins, no losses, and one tie; and

WHEREAS the Banks High School football team did upset many fine teams across the state, and did surprise many so-called football prognosticators, and did delight many fans throughout the season; and

WHEREAS this team did capture the coveted State 4-A Football Championship in 1972 as a grand finale to its successful season; and

WHEREAS this season was the result of the coaching of Coach George "Shorty" White and the sportsmanship, teamwork, and hard-nosed playing of the Banks High School football team; and

WHEREAS these young men and their coach are to be greatly commended; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do heartily congratulate Banks High School on winning the State 4-A Football Championship.

BE IT FURTHER RESOLVED, That the Clerk of the House send sufficient copies of this resolution for distribution among the members of the football team, Coach George "Shorty" White, and to Principal Billy R. Anderson of Banks High School.

The resolution, H. J. R. 18, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Wallace, Dill, Ellis, Timmons, Boles, Jones (E), Bowers, Meeks, Waggoner, Boutwell, Weeks, Doss, Gafford, Falkenburg and Erdreich:

H.J.R. 19. COMMENDING GLENN HIGH SCHOOL BASKETBALL TEAM FOR WINNING THE STATE 3-A BASKETBALL CHAMPIONSHIP

WHEREAS Glenn High School has just completed one of its finest basketball seasons with twenty-three wins and only three losses; and

WHEREAS this team did capture the coveted State 3-A Basketball Championship as a grand finale to its successful season; and

1st Day

WHEREAS this season was the result of the coaching of Coach Columbus J. Hasberry and the sportmanship, teamwork, and hard-nosed playing of the Glenn High School basketball team; and

WHEREAS these young men and their coach are to be greatly commended; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do heartily congratulate Glenn High School on winning the State 3-A Basketball championship.

BE IT FURTHER RESOLVED, that the Clerk of the House send sufficient copies of this resolution for distribution among the members of the basketball team to Coach Columbus J. Hasberry, and to Principal Charles E. Crawford.

The resolution, H. J. R. 19, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Bassett and Hardin:

H. J. R. 20. WHEREAS, Mr. Tine W. Davis of Montgomery has been a true friend and generous contributor to the growth of Troy State University, having served in several capacities, most recently as chairman of the committee to assure the building of the Varsity Athletic Field House; and

WHEREAS, Mr. Davis' contributions to Troy State University, not only in terms of money but time, energy and devotion, deserve to be recognized with gratitude; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Varsity Athletic Field House at Troy State University be henceforth called the Tine W. Davis Field House, as a tribute to this outstanding gentleman.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Mr. Tine W. Davis.

The resolution, H. J. R. 20, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Bassett and Hardin:

H. J. R. 21. WHEREAS, Mr. Frank S. Anderson of Troy, Alabama, recently served as chairman of the drive to build Alumni Hall at Troy State University; and

WHEREAS, This service to Troy State University is only one of the many contributions Mr. Anderson has made to the development of the school; his untiring efforts have been a major factor in the tremendous success of the Troy State Foundation, which benefits many students in the furtherance of their education; now, therefore;

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That Wing B of Alumni Hall be henceforth named the Frank S. Anderson Wing, as a fitting tribute to the sig-

1st Day

nificant contributions he has made toward the development of Troy State University.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. Frank S. Anderson.

The resolution, H. J. R. 21, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Bassett and Hardin:

H. J. R. 22. WHEREAS, Dr. James O. Colley, Jr., of Troy, Alabama, has been the physician for Troy State University for over 25 years, serving the students on 24-hour call with skill and devotion; and

WHEREAS, Troy State has benefited immeasurably from his financial and moral support, as well as his professional talents; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That Wing A of Alumni Hall at Troy State University be henceforth named the Dr. James O. Colley, Jr., Wing as a tribute to the services rendered to the school by this valued friend.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Dr. Colley.

The resolution, H. J. R. 22, was read and referred to the Standing Committee on Rules.

CO-SPONSOR ADDED

At the request of Mr. Chesnut, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 232.

**REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 4. Mourning the death of Representative Ben Cherner of Jefferson County.

Also:

H. J. R. 5. Mourning the death of Representative James D. Straiton. And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk; the reading at length hav-

1st Day

ing been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions; the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

Also:

By Messrs. Robertson, Parker, Culver, Bank, Lyons, Owens, Lang, Grey (D) and Reid (R):

H. J. R. 23. NAMING A PORTION OF HIGHWAYS I-359 AND ALABAMA 69 THE "LURLEEN B. WALLACE BOULEVARD."

WHEREAS: Lurleen Burns Wallace was Governor of the State of Alabama; and,

WHEREAS: Lurleen Burns Wallace was a native of Tuscaloosa County and is held in high esteem in the hearts and memory of the people of Tuscaloosa County; and,

WHEREAS: they desire that a portion of Highways I-359 and Alabama 69 approaching Hugh Thomas Bridge be designated the "Lurleen B. Wallace Boulevard" in her memory; now,

THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that that portion of Highway I-359 from the intersection of I-59 to 12th Street and that portion of Alabama 69 from 12th Street to the intersection of U. S. Highway 82 be designated the "Lurleen B. Wallace Boulevard;" and,

BE IT FURTHER RESOLVED, that the Alabama Highway Department be ordered, and is hereby directed, to designate the above described portion of Highways I-359 and Alabama 69 in accordance with this Resolution.

The resolution, H. J. R. 23, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Gray (F):

H. J. R. 24. COMMENDING ALABAMA STATE UNIVERSITY FOR ITS CONTRIBUTION TO THE STATE AND NATION AND DESIGNATING "ALABAMA STATE UNIVERSITY, CENTENNIAL YEAR."

WHEREAS, Alabama State University was established by the Alabama State Board of Education on December 3, 1873 as "The State Normal School and University for Colored Students and Teachers" for the expressed purpose of training school teachers and leaders in other areas of citizenship for the newly freed Negroes in the State; and

WHEREAS, the school began operations as a State institution and enrolled its first students in 1874; and

WHEREAS, during the ensuing one hundred years, Alabama State has attained national prominence in the realm of teacher education and expanded its responsibilities by providing programs in other areas essential to the changing needs of citizens of this State; and

WHEREAS, these evolving and expanding responsibilities have been recognized by the Legislature and the State Board of Education and the institution's name was successively changed to "The Alabama Colored Peoples University," to "The State Normal School for Colored Students," to "The State Teachers College," to "Alabama State College for Negroes," to "Alabama State College," and to "Alabama State University"; and

WHEREAS, the contributions of Alabama State University and its thousands of graduates to the State of Alabama, to the nation, and to countries around the world in education, business, industry, government, and the many professions over the past century have been great and of immeasurable value; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the period September 15, 1973 through June 14, 1974 be designated as the Alabama State University Centennial Year, as an expression of the appreciation of the people of our State for, and their pride in, this outstanding University and its continued record of accomplishments in higher education and its service to the State of Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Doctor Levi Watkins, President of Alabama State University.

The resolution, H. J. R. 24, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Bank, Jones (F), Turnham, Taylor, Hobbie and King:

H. J. R. 25. TO EXTEND THE LIFE OF THE HEALTH STUDY COMMISSION:

WHEREAS any bills in the field of health legislation have already been prefiled in the Legislature and many more bills in the field of health legislation will be introduced during the coming regular session; and

WHEREAS there is a great need to continue the Health Study Commission as created by Act No. 2226, S. J. R. 70, 1971 Regular Session (Acts 1971, p. 3580); and

WHEREAS grant funds are available to continue the Health Study Commission during the 1973 Regular Session of the Alabama Legislature without any cost to the state; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Health Study Commission as created by Act No. 2226, S. J. R. 70, 1971 Regular Session (Acts of 1971, p. 3580) shall continue in existence and shall continue to exercise all its powers, functions and duties as granted in said Act No. 2226, 1971 Regular Session, and shall make its final report on its conclusions and recommendations to the Speaker of the House, the President of the Senate and the Governor of Alabama at such time during the 1973 Regular Session of the Alabama Legislature as it deems appropriate rather than on the third legislative day of the 1973 Regular Session of the Alabama Legislature as originally provided in said Act No. 2226 of the 1971 Regular Session.

The resolution, H. J. R. 25, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Clark:

S. J. R. 9. TO CREATE COMMITTEE TO DRAFT BILL AFFECTING CLERICAL STAFF OF LEGISLATURE AND RELATED MATTERS.

WHEREAS, the Office of the Attorney General has ruled that the clerical staff of the Legislature and Legislative employees cannot be paid by resolution; and

WHEREAS, temporary arrangements for paying and providing a staff for the Legislature expire on May 1, 1973; and

WHEREAS, the Legislature cannot function without an adequate and competent staff; now therefore,

BE IT RESOLVED by the Legislature of Alabama, both Houses thereof concurring, that a Joint Legislative Committee be formed to draft and present an acceptable bill to be introduced in the Legislature to adequately staff the Senate and House of Representatives with clerical, stenographic or other employees, including the respective presiding officers thereof, the Finance and Taxation Committee in the Senate, the Ways and Means Committee in the House, and any other Committees requiring employees. Said Committee will set the number of employees and set the compensation for each or an acceptable method of setting same.

The Committee will further recommend any other needed changes in Title 32, Code of Alabama, as it affects the officers, employees, or members of the Legislature.

The Committee will consist of five (5) Senators, including the President Pro-Tempore, to be appointed by the President of the Senate, and five (5) members of the House of Representatives, including the Speaker Pro-Tempore, to be appointed by the Speaker. The Committee will confer with the President of the Senate, the Speaker of the House, the Secretary of the Senate, the Clerk of the House, and the Comptroller in its deliberations.

This Committee will complete its work within three (3) days after the passage of the Resolution and the appointment of members.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 9, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

RECESS

On motion of Mr. McCorquodale, the House recessed until 6:00 o'clock p. m.

REGULAR SESSION
1st Day

157

HOUSE RECONVENED

The hour of 6:00 o'clock p. m. having arrived, the House reconvened. The Speaker called the House to order.

JOINT SESSION

The Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives for the purpose of hearing an address by the Honorable George C. Wallace, Governor of the State of Alabama.

The joint session was called to order by Honorable Jere Beasley, Lieutenant Governor and Presiding Officer of the Senate.

Thereupon, Honorable George C. Wallace, Governor of the State of Alabama, delivered his address to the Members of the Alabama Legislature.

ADDRESS BY
GOVERNOR GEORGE C. WALLACE
BEFORE THE REGULAR SESSION
ALABAMA LEGISLATURE
MAY 1, 1973

Lt. Governor Beasley—Mr. Speaker Lyons—Members of the Alabama Legislature—Fellow Alabamians, both those present and those with us in the television audience:

I appreciate this opportunity to address you on the occasion of the opening of the 1973 Session of our State Legislature.

More than a year has passed since last you sat here in session. During this interim period, many events have occurred worthy of note here this evening.

I personally have experienced some difficult days since last we met together and I give thanks to an all-wise and protective providence that permits me to be here with you tonight, sound in mind and spirit and filled with an ever-increasing appreciation of all the miracles that may be accomplished through the prayers and concern of one's fellow man.

To all Alabamians, those present and those viewing by other means, I express to you the deep felt appreciation and gratitude of myself and my family for all that you have done for us during the past year—your prayers have been a tremendous source of strength to all of us and may God bless you for your care and concern.

Likewise, during this period many fine and wonderful things have happened to our great State and her people.

Economic prosperity continues at an ever-increasing pace—unemployment is showing a steady decline, and the training and productivity of our work force is on the rise. All of this goes to make an extremely healthy economy—attractive to further development and expansion of business and industry in our State.

During the Calendar Year 1972, through the efforts of the Administration, the Legislature and public officials and private citizens throughout the

State, working through the Alabama Development Office, the State of Alabama experienced a record year in industrial expansion.

During the year just passed there was a capital investment of eight hundred thirty-eight million dollars (\$838,000,000) in new and expanded industry in this State, creating an opportunity for forty-two thousand (42,000) new jobs for our people. This capital investment and job opportunities involve some six hundred eighty-two (682) new or expanded plants within Alabama.

We are proud of this record and what it means to Alabama—and you would be further pleased to know that it constitutes a record among all of the other Southeastern States for this period.

In connection with this industrial development effort, I would like to point to the total cooperation of those associated with vocational education at the secondary and technical school level.

Through appropriations made by the 1971 Session of the Legislature, we were able to establish a program whereby a work force could be trained for a new or expanded industry during the time of plant construction. This resulted in the work force being ready for production at the time of opening of the industrial plant. This has proved to be a tremendous tool in inducing industry to settle in this State. Further improvements in this program will be recommended to this session of the Legislature.

I am also happy to report to you that unemployment has shown a steady decline during the past two years. The figures compiled by the Department of Industrial Relations indicate that from January of 1971 to January of 1973 unemployment in this State declined some 45%. I think it significant that this decline took place during a period of expanding industrial development and resulting job opportunity. We will see that each of these trends continue.

I would also like to report to you that at long last we are approaching an orderly conclusion to the development of our recreational and park facilities in Alabama. The current program was conceived during the administration of my late wife, Governor Lurleen, and it is our full expectation to see all of the parks included within this system completed before the end of the year.

This program has been beset with some difficulties but, when completed, should consist of park and recreation facilities of which all of us can be justly proud. In addition to providing recreational opportunities for our people in the form of day-camp facilities, other camping facilities, boating, fishing and the like, it is envisioned that some of the major developments will serve as a significant inducement to tourism within Alabama.

Speaking of tourism—one of the largest industries in Alabama—I would like to report to you that some thirty-six million (36,000,000) out-of-state persons visited with us in Alabama during 1972. This represented a sizable increase over the previous years and, conservatively stated, with the improvement and development of our park facilities, we expect to enjoy a 15 to 20% increase during the coming year when some forty-two million (42,000,000) people will be visiting Alabama. What this means to the economy of this State is that more than six hundred million dollars (\$600,000,000) will be spent with our local businesses, again pointing up the importance to Alabama of her tourist industry.

I recently met with the travel council of this State in their annual convention and the enthusiasm of this group is to be commended. I know they

are working toward a greater Alabama in the area of tourism and they are assured by me that the State will support their efforts in every way.

During the 1970 Campaign for Governor, I repeatedly discussed with the people the matter of providing adequate medical services for all the citizens of this State. I found the people of Alabama receptive to this much needed program and, as I promised, in 1971 our Administration sponsored and saw enacted into law legislation providing for the expansion of medical education facilities in Alabama. I am pleased to report at this time that this program is proceeding in an outstanding manner and that the new four-year medical college at the University of South Alabama in Mobile is now accepting students—that the development of the two-year medical institutions at the University of Alabama at Huntsville and the University of Alabama at Tuscaloosa are proceeding on schedule—and we have witnessed further expansion of the medical education capabilities at the University of Alabama in Birmingham and within the world-famous medical center operated by that institution.

All of this is heartening to me and to the people of Alabama. This is a program which we must continue to pursue if we are to provide for all of our people the medical services to which they are entitled. I will call upon this Legislature to pursue this program to its full conclusion as I know of no greater need on the part of the people of the State.

Some of the most difficult hours of the 1971 Session of the Legislature were spent in attempting to provide adequate funding for our mental health program. This is a matter which cannot be neglected by the Legislature, the Administration or the people of this State. We have made giant strides forward in the improvement of the treatment and care of our less fortunate citizens who have experienced mental or emotional disabilities. We must continue to do more.

The Mental Health Department is now moving toward a program of regionalization, with a view toward decreasing population in the major centers. This is in keeping with the presently accepted professional trend. We have worked closely with the Department in implementing this program and have made available to them sizable amounts from the revenue sharing funds received by the State. We will call on this Legislature to make further provision for the proper care, treatment and rehabilitation of these less fortunate citizens of our State.

We have taken determined action in an effort to improve our port facilities at the Port of Mobile. We are now experiencing an increase in tonnage through the installation of a containerization program. We are blessed with a tremendous natural resource at our State Docks and I am confident it can be developed into the finest facility in the Eastern Gulf area. Its development will not only enhance the economic strength of the area surrounding the Port but will be of tremendous importance to the economy of this State.

This has been pointed up by the cooperative effort made throughout the State with respect to the location of a "Superport" in the Eastern Gulf. This effort has been headed by a member of this body, Senator Noonan of Mobile, who has been strongly supported by all of the resources and facilities of the Alabama Development Office, as well as local government, business and industry throughout the State. It has been an effective effort and one which we can be proud of and one which I am confident will bring results as we move

into an era and age which is going to demand the ultimate in transportation facilities if we are to cope with the now existing energy crisis in this country.

I might also mention the tremendous potential for development in this area created through the ultimate completion of the Tennessee-Tombigbee River Project. During the past year we have seen tangible evidence of progress with the actual groundbreaking and letting of contract for the lock and dam at Gainesville, located in the western portion of our State. With the opening of the Tennessee-Tombigbee Water System, the Port of Mobile will become a major port of entry and export of goods and commodities from throughout the mid-western region of our country and will have a significant impact on the economy of Alabama.

I might also mention the Consumer Protection Organization which has functioned as an adjunct of the Governor's Office. This agency was created by my Executive Order and funded by this Legislature. Its accomplishments have been highly satisfactory. It has not only recovered many thousands of dollars for our citizens who felt themselves deprived through unfair practices but has also engaged in a program of education of all of our people in the fundamentals of consumer affairs.

These are some of the accomplishments of the past two years since we last met. I am exceedingly proud of the progress made by our State in all of the areas mentioned, as well as many others.

In my considered opinion, the State of Alabama, at the present time, is operating on a sound financial basis and in a manner of which you should be proud. During the coming year, the State will administer revenues approaching two billion dollars (\$2,000,000,000).

I am pleased to report that we were able to close the last fiscal year—on September 30, past—in a highly sound financial condition with a surplus of working capital available in all of the major funds supporting state functions. As I reported to you last October 1, the Educational Trust Fund at that time contained a working capital balance of almost forty million dollars (\$40,000,000), while the General Fund, supporting the general operations of government, contained a working balance of twelve million dollars (\$12,000,000).

Our economy has continued to prosper and the excellent financial condition of the State has continued to improve.

I am proud of the way in which the affairs of this State have been handled during the past two years and I am happy to report to you that Alabama is in a sound financial condition and is operating in what I believe to be an effective and efficient manner.

I, of course, have certain proposals to make to you at this time. These proposals lie principally in the area of my budget recommendations.

As all of you are undoubtedly aware, you find the State in a much better financial condition today than existed immediately prior to the opening of the 1971 Session. I have just mentioned the balances existing at the close of the last fiscal year and you are familiar, through your legislative hearings, with the continued improvement in our economic condition. So, you will find yourselves with more available resources to appropriate into the needed areas of State Government. This I hope will make your task easier than that facing you in 1971.

1st Day

I am also pleased that my budget recommendations will be distributed to you this evening. I have worked for a considerable period of time in the development of this budget and, in doing so, I have sought the advice, counsel and recommendations of many individuals and groups.

All of you are familiar with our efforts toward unification of the financial needs of education. I wish to commend once again the efforts of those who worked with us in this regard—the Governor's Fiscal Advisory Committee—the Joint Fiscal Committees of the House and Senate—and, lastly, but equally important, the work of the "Select Committee for a Unified Education Budget." All of these individuals, groups and agencies have proven themselves to be of tremendous assistance in helping to develop our recommended budget. I believe you will find it represents the best thinking of those within the Legislature and within the Administration. I want to thank all who took part in this preparatory work.

I will speak first of the proposed budget as it supports education for the next two years. As I have observed before, this legislature will be the first to have the opportunity, privilege and duty of appropriating more than one billion dollars (\$1,000,000,000) toward the support of education in Alabama.

Budget projections are that one billion one hundred fifty-four million dollars (\$1,154,000,000) will be available for education during the next two years. My budget recommendations allocate this amount in as fair and objective manner as possible into all functions of education ranging from elementary and secondary education upward through the vocational technical schools, junior colleges, four-year institutions, as well as post graduate schools including medical education.

Many of my recommendations are based in substance on those made by the committees, agencies and individuals who have studied this matter, but I am required by law to submit to you a totally balanced budget, whereas no such restriction was placed on these other groups.

Accordingly, I am including certain recommendations for conditional appropriations, predicated on the hope that our economy will continue at the present high level during the next two years. If this be the case, as certainly we hope it will, it could become possible to provide even more than the absolute appropriations to education.

You will find in my recommendations that I am proposing increases far exceeding any ever before suggested for the support of education in this State. You will find that elementary and secondary education is budgeting for an approximately 30% increase over the last year and that provision has been made to provide significant salary increases for our teachers at all levels of education during the next biennium commencing October 1. Such increases will be authorized and funded by our recommended budget—provision has been made for additional teacher units, which will in turn reduce the teacher load and the teacher-pupil ratio—provision for assistance in transportation in the local systems—full funding for the free textbook program—provision for additional teacher units for special education and vocational education. You will find that there is a general upgrading of education at all levels within the elementary and secondary systems.

In the area of higher education, you will find that my recommendations will provide an average increase of more than 33% for our post secondary institutions. This is a far greater increase than ever before experienced by

higher education. These increased funds should enable all institutions at the post secondary level to upgrade their programs and provide better educational opportunities and facilities to our people. Medical education will receive an even greater increase than the average mentioned so that it may move forward at a more rapid pace in order to provide additional medical doctors and technicians for service to our people.

With respect to the General Fund, you will find that my recommendations give special attention to the needs of our prison system which is now laboring under a court order and finds itself in a difficult position with respect to providing medical services for prison inmates. This is a problem you will have to grapple with and I feel that you will find it complex beyond belief.

Another area of emphasis is the Department of Mental Health where we are making recommendations, to the limits of our capability, to further upgrade this program and to make provision for better care and treatment of our mentally ill.

The Medicaid Program is recommended for additional funding so it may continue to serve, in as adequate a measure as possible, the needs of our less affluent.

Industrial development, which has made such a wonderful record over the past two years, is receiving additional consideration in order that this program may move forward at a more rapid pace.

I am also including recommendations with regard to cost of living salary increases for State employees and for operating funds for the departments and agencies within a modest limit.

Another matter which will be considered is the budget for the State Highway Department. The first budget for this Department was drafted by the 1971 Session and has been in operation for the past two years. Over the past several weeks, I have sought the advice and counsel of several members of this Legislature with respect to adjustments, modifications or amendments which should be made to this budget. I believe all are in accord as to the provisions to be contained within this budget and the need for a degree of flexibility with regard to matching available federal funds.

I am sure that all of the members of this Legislature are aware of the problem being experienced at federal level with respect to the release of federal monies for highway construction. The Congress has not enacted a highway bill since 1971 and such money as has been authorized has been, in part, impounded by the Administration. This has made it extremely difficult to proceed with an accelerated road program due to the fact that these federal monies were not available.

I have made repeated efforts through the National Governors' Conference, individually and through my Highway Director to solve this problem. I would solicit your help and assistance in this regard and, as soon as this is done, I feel we will be in a position to move forward with our road program. I know this is as important to you as to myself.

While considering the matter of future highway construction for Alabama, I might suggest to you that you give thought to a long range program taking into account projected needs for the next ten to fifteen years. The Highway Department has been engaged in such a study and should be able to be of assistance to you in this respect.

The highway construction industry is interested in such an approach and I believe it would be wise on the part of this Legislature to take a hard look at our basic highway needs over an extended period of time and consider a program of continuity which would permit Alabama to continue progress in a reasonably stable manner in providing the necessary highway resources for the traveling public. I would suggest that you give study to such a program.

Other items which I will recommend to you for your consideration will be legislation to lower bodily injury automobile liability insurance rates in this State. I know that the Interim Committee concerned with this matter has given consideration to and, I understand, has developed legislation which will be offered. Suffice it to say, I feel that there is a need for lower rates in this area and I believe that the members of this Legislature, the insurance industry and the affected public will join you in a coordinated effort to see that this is brought about.

I will also submit to you for your consideration, and will actively seek legislation to lower interest rates on installment loans and revolving credit accounts. This was discussed with many of you at length in 1971 at the time you adopted the legislation known as the "Mini-Code."

You were aware of my feelings that in certain areas these interest rates were too high and that I would seek corrective legislation at the appropriate time. I believe this Legislature is in accord with this feeling and that you will join with me in obtaining lower interest rates for the type accounts mentioned for the people of Alabama and, particularly, for the working men and women of this State. I solicit your full support.

I have mentioned the fact that our State Port facilities are in need of rehabilitation and expansion. Legislation will be offered in this regard and I invite your careful consideration of this legislation for, as I have mentioned, the development of this Port is a matter of statewide concern and not just of local interest.

Legislation will be offered providing improvement in the benefits under Workmen's Compensation and Unemployment Compensation. A combined group representing labor and management have been working for some time on this matter and, I am sure, will have legislation to offer providing these increased benefits. I fully support the efforts to improve these benefits.

There will be submitted to you a resolution endorsing the anti-busing amendment which is now being considered by many states calling on the Federal Congress to act in this respect. Events of recent days, and forthcoming events, particularly in the Richmond, Virginia Case, indicate the pressing need for action on the part of the states. My position with regard to forced busing has not changed as I believe it is a tremendous deterrent to the educational well-being of our youth. I am also convinced that the majority of the people in this country, and in Alabama, share our views in this regard. I would like to urge you to endorse this proposed amendment when submitted to you.

Legislation will be introduced implementing a portion of those recommendations made by the Governor's Cost Control Survey with respect to efficiency and economy in State Government. As you are aware, some 18% of those recommendations require legislative action as a prelude to implementation and legislation will be submitted to you with respect to many of these.

1st Day

Lastly, let me mention the matter of reapportionment. You are fully aware of all of the ramifications of the court ordered plan. I think we are all in agreement that this court ordered plan works a tremendous hardship on the people of Alabama and particularly the judges of probate and other officials at the local level charged with the responsibility of conducting elections. In my judgment, any plan which you might develop would be preferable to the court ordered plan.

I know you have experienced difficulty in arriving at a plan to be adopted but on behalf of the people and local officials concerned I would call upon you to meet your responsibility in this matter and enact some plan prior to the May 17 deadline fixed by the Court. I believe the adoption of an alternative plan will best serve your own interest and, certainly, the interest of the people you represent and those so vitally affected at the local level. I hope you will act in this regard.

In an effort to be of some help and to show my concern in this matter, I have indicated and I say again to you tonight, that in the event you do wish to proceed with efforts to adopt a plan other than the court ordered plan and the members of this body feel they can have a higher probability of success working within the context of a special session rather than regular session, I stand ready to meet your request in this regard.

Should you see fit to recess this legislative session until a time no later than May 18, coupled with a request that you be called into special session for the purpose of considering reapportionment legislation, I will issue such a call.

Finally, let me say that I intend to work with you in a spirit of harmony and cooperation throughout your session, or sessions, and I pledge to you that such will be the case with my staff and cabinet. I am convinced that in this way we can best serve the interest of the people of this State and that we can best realize the potentials I have talked about this evening. In my judgment, Alabama stands on the threshold of the greatest advancement in her history. Our efforts here must guarantee that this becomes a reality and through working together I know this is possible.

As for myself, I am proud of the past accomplishments of the State of Alabama and her people and I am thrilled and excited at the prospects of the future which lies ahead. I am proud of the opportunity to continue to serve the people of Alabama—the finest people in the world—and this I have said on many occasions and in many places throughout these United States.

So—deeply rooted in our past history of achievement—proud to an extreme of our present accomplishments—and thrilled by the prospects lying ahead, I am reminded of a line from Robert Frost's poem—“... the woods are lonely, dark and deep—but I have promises to keep and miles to go before I sleep. . .”

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished, the Senate would retire to its Chamber.

HOUSE CONVENES AFTER JOINT SESSION

Following the joint session, the House reconvened and the Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 3. RELATIVE TO A JOINT SESSION OF THE HOUSE AND SENATE.

And the President and Presiding Officer of the Senate appointed as members on the part of the Senate Messrs. Pelham, Fine, and Littleton.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 2. NOTIFYING THE GOVERNOR THAT THE LEGISLATURE IS IN SESSION.

And the President and Presiding Officer of the Senate appointed as members on the part of the Senate Messrs. Givhan and Clark.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Bank:

H. J. R. 26. COMMENDING THE TASK FORCES THAT WORKED UNDER THE ALABAMA HEALTH STUDY COMMISSION.

WHEREAS there were 125 people involved in working on the task forces that served under the Alabama Health Study Commission which was created by resolution of this Legislature; and

WHEREAS the people who served on these task forces were all volunteers, representing physicians, allied health personnel, legislators and consumers; and

WHEREAS these persons donated more than 2,800 man hours to their labors from June 1972 through February 1973; and

WHEREAS their work has been exceptional and outstanding and has greatly aided the Alabama Health Study Commission in its assigned duties; and

WHEREAS there were task forces on:

Emergency Medical Services
Tuberculosis

Health Manpower

Licensure of Health Professionals

Consumer Health Education

Cost of Medical Care

Mental Health

Task Force Regarding the Health and Health Services of Alabama Children;

now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature does heartily thank each of the individual members of the above named task forces serving the Alabama Health Study Commission for their unselfish and excellent service on these task forces and for their great contribution to health service in Alabama and to their fellowman.

BE IT FURTHER RESOLVED That the Clerk of the House make sufficient copies of this resolution available for distribution to the members of the task forces under the Alabama Health Study Commission.

The resolution, H. J. R. 26, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Bank, McBride, Doss, Weeks, Parker, Robertson, Harris, Taylor and Culver:

H. J. R. 27. INVITING THE ALABAMA VIETNAM POW'S TO APPEAR BEFORE THE LEGISLATURE.

WHEREAS House Bill No. 114 is now pending before the Legislature which will grant a \$500 bonus to each prisoner of war from Alabama who was imprisoned during the Vietnam conflict; and

WHEREAS H. B. 114 appears destined for certain passage in the Legislature and signing by the Governor; and

WHEREAS the Legislature deems it appropriate that these Alabama POWS should appear before the Legislature as guests of the Legislature and of the Governor in order that they might be further honored on behalf of the people of this State and this great nation; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, THE SENATE CONCURRING, That the prisoners of war of the Vietnam conflict from Alabama are hereby invited to appear before this Legislature on the day that the Governor signs House Bill No. 114 and that they be requested to choose one from among their ranks to make a short address to the Legislature and the remainder of them be introduced to the Legislature on this occasion.

BE IT FURTHER RESOLVED That the Clerk of the House is designated as the coordinator to carry out the provisions of this resolution and to extend the invitations to the POW'S as soon as it is determined exactly what date the Governor will sign said H. B. 114.

The resolution, H. J. R. 27, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Reid (R):

H. J. R. 28. PAYING TRIBUTE TO THE LIFE OF MAMIE STODGHILL WITTMEIER.

WHEREAS Mamie Stodghill Wittmeier, a native of Fredonia, Alabama, has devoted unselfishly of her life, time and energy to promote the betterment of Alabama, Oneonta and Blount County; and

WHEREAS Mrs. Wittmeier by reason of her education, training, experience, innate abilities and temperament was admirably equipped to become a great individual and leader in her state and community. She attended Judson College and studied piano and voice at the German Conservatory of Music in New York City. After her studies she married Doctor Joseph Schoolfield Wittmeier and they became the parents of four children: Joseph, Meta, Dr. James Len, and William S. Wittmeier; and

WHEREAS she is a historic figure in Alabama having promoted the organization of Oneonta's first P.T.A. and served as its president for four years. She was instrumental in organizing the town's first garden club, the Oneonta Public Library, and was a charter member of the Worthwhile Club. Among her other activities and programs were service as the district president of the Alabama Music Club and was a Sunday School teacher and church pianist for twenty-six years; and

WHEREAS Mrs. Wittmeier won recognition throughout the state for her works as she received the first orchid given by the Birmingham News for outstanding service and was one of the News' first selections in their series on Alabama's Gracious Ladies; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body wishes to join the citizens of Blount County in saying to Mrs. Mamie Stodghill Wittmeier: "Our town, our county and our state is a better place because of you. We thank you, we honor you and we love you."

BE IT FURTHER RESOLVED that a copy of this resolution be sent to this extraordinary and brilliant individual, Mrs. Mamie Stodghill Wittmeier.

The resolution, H. J. R. 28, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. St. John, Drake and Carter:

H. R. 29. Requesting an advisory opinion of the Justices of the Supreme Court relative to H. B. 247.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we respectfully request the honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, to give this body their written opinions on the following important constitutional questions which have arisen concerning the pending bill, H. B. 247.

1. If enacted, would this bill, which provides tuition grants to resident students attending private colleges in Alabama violate Article 93 of the Constitution of Alabama?

2. If enacted, would this bill violate Article 263 of the Constitution of Alabama in that some of the private colleges are sectarian or denominational schools?

RESOLVED FURTHER that the Clerk of the House is hereby directed to send nine true copies of the pending bill, H. B. 247, to the Clerk of the Supreme Court of Alabama, and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this Resolution.

On motion of Mr. St. John, the rules were suspended and the resolution, H. R. 29, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 2. Appointing a committee to notify the Governor that the Legislature is now in session and ready for the transaction of business.

Also:

H. J. R. 3. Relative to a joint session for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution, S. J. R. 9, and ordered same returned to the House with a favorable report:

TO CREATE COMMITTEE TO DRAFT BILL AFFECTING CLERICAL STAFF OF LEGISLATURE AND RELATED MATTERS.

On motion of Mr. McCorquodale, the resolution was concurred in and adopted.

COMMITTEE APPOINTED

In accordance with S. J. R. 9 heretofore adopted, the Speaker appointed as a committee on the part of the House Messrs. McCorquodale, Mathews, Doss, Roberts and McDonald.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 6. Expressing the pride and appreciation of the Legislature in the distinguished career of Rear Admiral Jeremiah A. Denton, Jr.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. McCorquodale:

H. J. R. 30. RELATING TO ADJOURNMENT OF THE TWO HOUSES OF THE ALABAMA LEGISLATURE.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That, when the two Houses adjourn today, May 1, 1973, they adjourn to meet again on Friday, May 18, 1973 at 10:00 o'clock a. m.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 30, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 30. RELATING TO ADJOURNMENT OF THE TWO HOUSES OF THE ALABAMA LEGISLATURE.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 6. Commending and praising Rear Admiral Jeremiah A. "Jerry" Denton, Jr., outstanding Alabamian.

Also:

H. J. R. 30. Relative to adjournment of the two Houses until Friday, May 18, 1973.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules:

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 7:40 P.M. On May 1, 1973.

H. J. R. 4

H. J. R. 5

Delivered to the Governor at 8:05 P.M. On May 1, 1973.

H. J. R. 2

H. J. R. 3

Delivered to the Governor at 8:20 P.M. On May 1, 1973.

H. J. R. 6

H. J. R. 30

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. McCorquodale and in accordance with H. J. R. 30 heretofore adopted, the House adjourned until Friday, May 18, 1973, at 10:00 o'clock a. m.

SECOND DAY

House of Representatives
Montgomery, Alabama
Friday, May 18, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Keith Grantham, Pastor, United Methodist Church, Fort Deposit, Alabama.

**REGULAR SESSION
2nd Day**

171

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Culver	Jones (E)	Reynolds
Adams	Dill	Jones (F)	Roberts
Adwell	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lang	Slate
Barkett	Easters	Lutz	Smith (K)
Bassett	Edwards	McBride	Smith (P)
Benton	Ellis	McCluskey	Snell
Boles	Erdreich	McCorquodale	Stewart
Boutwell	Falkenburg	McDonald	Stokes
Bowers	Fite	Manley	Stubbs
Brassell	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hobbie	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot
Crowe			

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following

bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 195. Relating to the governing body of Baldwin County; amending Section 1 of Act No. 239, H. 597, Regular Session 1931 (Local Acts of 1931, p. 100), as amended, which act creates the county commission of Baldwin County in lieu of the board of revenue of said county; so as to provide further for the rearrangement and redivision of the commissioners' districts.

H. 207. To amend further Section 7 of Act No. 34, H. B. 225, Extra Session 1932, (Local Acts 1932, p. 13), as amended, which act relates to the County Superintendent of Education of Clarke County, so as to increase the expense allowances of said Superintendent of Education and to provide that said expense allowance may be incurred while said Superintendent is out of the county or state.

H. 242. Relating to Etowah County; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

H. 288. To increase the salary range for the stenographic secretary for the district attorney and circuit judge of the Thirty-Seventh Judicial Circuit.

H. 301. Relating to Chambers County: To create and establish in Chambers County, in lieu of the County Court and the Juvenile Court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Civil and Criminal Court of Chambers County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible therein; providing for the disposition of costs, charges, commissions, fines and forfeitures collected therein; providing a special trial tax on civil and criminal cases for the establishment and maintenance of a county law library; abolishing the County Court and the Juvenile Court of Chambers County; and providing for the transfer and trial of cases pending in the County Court of Chambers County, the former Justice of Peace Courts, and in the Juvenile Court of Chambers County, at the time this Act takes effect, to the Civil and Criminal Court of Chambers County, Alabama.

H. 302. Relating to Chambers County; providing further for the compensation of members of the board of registrars.

H. 303. To repeal Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241), relating to counties having populations of not less than 35,000 nor more than 38,000, according to the last federal decennial census, which act abolishes the Court of County Commission of such counties and creates in lieu thereof a County Commission.

H. 304. Relating to Chambers County; abolishing the Court of County Commission of the county, and creating in lieu thereof the Chambers County Commission; dividing such county into commissioner's districts; providing for the election, terms and qualifications of the commissioners; providing that the probate judge shall have no duties with respect to the county governing body; fixing the compensation of the commissioners; providing for retroactive effect

of this Act; and validating all acts of and compensation paid to said commission under the provisions of Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241).

H. 305. Relating to Chambers County; relieving the chief clerk of the probate judge of such county of any duties as purchasing agent for the county, and authorizing the governing body to appoint another such purchasing agent; repealing conflicting laws and specifically repealing Act No. 495, H. 929, Regular Session 1953 (Acts 1953, p. 623).

H. 306. To repeal Act No. 1696, H. 2309, Regular Session 1971 (Acts 1971, p. 2856), an act relating to all counties having populations of not less than 35,000 nor more than 38,000, according to the last federal decennial census; relieving the chief clerk of the probate judge of any duties as purchasing agent for the county, and authorizing the governing body to appoint another purchasing agent.

H. 308. To provide, in Chambers County for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within said county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; to accord the authority exemption from state, county and city taxation; to provide that this act shall be given retroactive effect to August 19, 1969; and to validate the incorporation of, and all acts done by, any authority heretofore incorporated or attempted to be incorporated under the provisions of Act No. 437, H. 774, approved August 19, 1969 (Acts 1969, p. 864), as amended.

H. 307. To repeal Act No. 437, H. 774, Regular Session 1969 (Acts 1969, p. 864), which act provides for the incorporation and management of an authority for the purpose of leasing, owning or acquiring and operating coliseums, parks, exhibits, fairgrounds and other facilities in all counties having populations of not less than 37,000 nor more than 41,000, according to the most recent federal decennial census.

H. 117. To authorize establishment of branch banks in Dallas County.

H. 193. Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census; to provide for an annual expense allowance for the remaining terms of office of certain officials of said counties, and providing for retroactive effect.

H. 194. To amend further Act No. 154, H. 746, Regular Session 1965, which act creates the office of commissioner of licenses in certain

counties classified on a population basis, so as to make further provisions respecting the compensation of such commissioner.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Edwards:

H. 376. To amend Title 52, Section 322, to provide for certification of nurses to serve in the position of professional school nurse and to provide that prior to the issuance of such certificate the applicant shall have met all requirements prescribed by the State Board of Nursing for license as a Registered Nurse.

Education.

By Messrs. Dill and Adwell:

H. 377. Relating to counties of 500,000 or more; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

Local Legislation No. 2.

By Messrs. Wise and Jackson:

H. 378. To amend Act No. 403, H. 330, Regular Session 1971, approved August 19, 1971, amending Section 18 of said Act in relation to the counties in which the Act shall apply.

Health.

By Messrs. Wise and Jackson:

H. 379. To amend Act No. 403, H. 330, Regular Session 1971, (1971 Acts, p. 689) as last amended, which relates to the registration and licensing of barbers, barber apprentices and barber colleges, by amending Section 18 of said act in relation to the counties in which the act shall not apply.

Health.

By Mr. Chesnut (With Notice and Proof):

H. 380. To limit the use of public road and bridge funds of DeKalb County.

Local Legislation No. 1.

Notice and Proof H. 380:

STATE OF ALABAMA COUNTY OF DeKALB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To limit the use of public road and bridge funds of DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. No monies in the DeKalb County public road and bridge fund shall be expended for any other purpose than for matching state and federal funds for public roads and bridges or for the construction, maintenance and repair of public roads and bridges in said county. In no case shall such funds be transferred to the general fund or used for any purpose other than herein provided.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dr. Marvin L. Barron, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sand Mountain News, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 12, April 19, April 26, and May 3, all in the year 1973.

MARVIN L. BARRON, DMD.

Sworn to and subscribed before me May 3, 1973.

CAREY H. BAKER,
Notary Public.

By Mr. Owens:

H. 381. To regulate the rate insurers may charge for credit insurance and to limit the commissions such insurers pay to lenders or their agents for obtaining such business or for taking applications for such insurance and to provide for enforcement of said act.

Banking.

By Mr. Owens:

H. 382. To prohibit any lending or similar type institution or any officer or employee thereof from being admitted or licensed as an insurer or licensed to sell insurance in this state except as to credit life, health and accident insurance; to grant the insurance commissioner the power to promulgate rules and regulations in regard thereto.

Banking.

By Messrs. Owens, Warren, Mims, Cottingham, Manley and Turner:

H. 383. To apply to the Fourth Judicial Circuit of Alabama; relating to additional compensation and method of payment of the official Court Reporters of said Circuit.

Local Legislation No. 1.

By Mr. Owens (With Notice and Proof):

H. 384. To permit banks now or hereafter situated in Bibb County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 384:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To permit banks now or hereafter situated in Bibb County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank, whether incorporated or unincorporated, within this state, now or hereafter situated in Bibb County, shall have the power to establish, maintain, and operate within the limits of said county, where the principal place of business of such bank is situated, one or more branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business for the receipt of deposits, payment of checks, lending of money and the conduct of a general banking and trust business, provided that such bank before the establishment of any such branch or branches, shall first secure the written consent thereto of the state superintendent of banks.

Section 2. The provisions of Code of Alabama 1940, Title 5, Section 125, which conflict with this Act are specifically repealed as to the county in which this Act applies, and all other laws, general or local in conflict herewith are also repealed as to such county.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

REGULAR SESSION
2nd Day

177

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared James W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 6, April 12, April 19, and April 26, all in the year 1973.

JAMES W. OAKLEY, JR.

Sworn to and subscribed before me May 11, 1973.

FRANCES N. BAKER,
Notary Public.

By Messrs. Warren and Mims (with notice and proof):

H. 385. Relating to Conecuh County, to authorize the County Governing body to pay the County Coroner an expense allowance of \$50 per month which shall be in addition to all other salary, compensation and expense allowance provided by law.

Local Legislation No. 1.

Notice and Proof H. 385:

STATE OF ALABAMA
COUNTY OF CONECHUH

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Conecuh County, to authorize the County Governing body to pay the Coroner an expense allowance of \$50 per month which shall be in addition to all other salary, compensation and expense allowance provided by law.

Be It Enacted by the Legislature of Alabama:

Section 1. The County Governing Body of Conecuh County is hereby authorized and empowered to pay out of any funds of the county an expense allowance to the not otherwise appropriated County Coroner which shall not exceed \$50 per month. The expense allowance provided for by this Act shall be in addition to all other salary, compensation, expense allowances now provided by law for the County Coroner.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CONECH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 12, April 19, April 26, and May 3, all in the year 1973.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me May 3, 1973.

HAROLD ADAMS,
Notary Public.

My Commission Expires April 5, 1977.

By Messrs. Warren and Mims (with notice and proof):

H. 386. Relating to Conecuh County; imposing a tax on malt or brewed alcoholic beverages and providing for the disposition of the proceeds therefrom prescribing penalties for the violation of the provisions of this Act; making the provisions of this Act retroactive to July 13, 1972.

Local Legislation No. 1.

Notice and Proof H. 386:

STATE OF ALABAMA COUNTY OF CONECH

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Conecuh County; imposing a tax on malt or brewed alcoholic beverages and providing for the disposition of the proceeds therefrom prescribing penalties for the violation of the provisions of this Act; making the provisions of this Act retroactive to July 13, 1972.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby levied a privilege or license tax on all persons, firms and corporations, selling, distributing or delivering to retailers in Conecuh County, any malt or brewed beverages (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one per-

cent or more of alcohol by volume), which tax shall be in an amount equal to Two cents (\$.02) on each eight (8) fluid oz., Three cents (\$.03) on each twelve (12) fluid oz., and Four cents (\$.04) on each sixteen (16) fluid ounce sold or distributed within the County, including within all municipalities located within the County.

Section 2. The privilege or license tax levied by this Act shall be collected by or under the supervision of the Court of County Commissioners or like governing body of Conecuh County. The Court of County Commissioners, or like governing body may provide rules and regulations and administrative machinery for the enforcement and collection of the privilege or license tax levied by this Act, and may also provide reasonable compensation to sellers and distributors of malt or brewed beverages for the expense of compliance with such rules and regulations. The Court of County Commissioners, or like governing body, may employ such personnel as may be needed to collect and enforce the tax and shall fix their compensation and tenure.

Section 3. Any person, firm or corporation who violates any provision of this Act or the rules and regulations as may be promulgated by the Court of County Commissioners, or like governing body, of Conecuh County shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute a separate offense. Any person, firm or corporation who fails to pay the tax herein levied within the time prescribed by such rules and regulations shall pay, in addition to the tax, a penalty of ten percent (10%) of the amount of tax, together with interest thereon at the rate of one-half of one percent per month or fraction thereof, from the date at which the tax herein levied became payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 4. The license tax levied by this Act shall be paid to the Treasurer of Conecuh County and the County Treasurer after first reimbursing the County General Fund for all expenses incurred in the administration and enforcement of this Act shall, between the first and fifteenth day of each month, distribute the remainder of the proceeds of said tax in the following manner: Thirty-three and one-third percent ($33\frac{1}{3}\%$) to be prorated between the municipalities of Evergreen, Repton and Castleberry upon the basis of their respective populations according to the last Federal census; Thirty-three and one-third percent ($33\frac{1}{3}\%$) to be paid over to the General Fund of the County; and Thirty-three and one-third percent ($33\frac{1}{3}\%$) to be paid over to the Conecuh County Board of Education to be expended for education purposes.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective on the first day of the first month immediately after its passage and approval by the Governor or upon its otherwise becoming a law, provided, however, that the operation of this Act shall be retroactive to July 13, 1972, (the date of the first legal sales of alcoholic beverages in Conecuh County) and all taxes collected and actions taken pursuant hereto are ratified and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 12, April 19, April 26, and May 3, all in the year 1973.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me May 3, 1973.

HAROLD ADAMS,
Notary Public.

My Commission Expires April 5, 1977.

By Messrs. King, Flippo, Crowe, Wallace, Carnes, Hale, Stokes, Dill, Easters, Goodwin, Bowers, Bank, Erdreich, Falkenburg, Waldrop, Coshatt, McBride, Collins, Naramore, Lutz, Williams, Carter, Chesnut, Timmons, Roberts, Reed (T), Grainger, Reid (R), McCluskey, Ellis, Owens, Barkett, Mims, Wise, Hill, Wood, Therrell, Cross, O'Daniel, Agee, Casey, Wynot, Culver, Connell, Grey (D), May, Callahan and Stubbs.

H. 387. To increase available funds for the financing of residential housing for persons and families of low and moderate income through the creation of a public corporation of the State with public and corporate powers to be known as the Alabama Housing Development Corporation; defining its duties, powers, authorizing the purchase by the Alabama Housing Development Corporation of existing mortgages from "mortgage lenders" within the state and authorizing loans by the Alabama Housing Development Corporation to "mortgage lenders" within the state for the purpose of furnishing and providing funds for new residential mortgages for persons and families of low and moderate income; authorizing the issuance of bonds and notes of the corporation to assist in the financing of such housing and providing for the terms, security, payment and taxation thereof.

Business and Labor.

By Messrs. Merrill, Burgess and Stewart:

H. 388. To provide for the exemption from ad valorem taxation of the home of any person who is totally disabled or who is sixty-five years of age or older and who had an adjusted gross income of less than five thousand dollars for income tax purposes for the last preceding year.

Judiciary.

By Messrs. Kinsey, Benton, Therrell, Downing, Callahan, Wood, Stokes, Roberts, Perloff, Lyons, Nettles and Collins:

H. 389. To amend section 2 of Act No. 419, H. 459, Special Session of the Alabama Legislature of 1966 (Acts 1966, p. 564) entitled "To exempt

fuel and supplies used aboard commercial fishing vessels from sales and use taxes"; so as to redefine the term "commercial fishing vessels."

Ways and Means.

By Messrs. Lutz, Carnes, Taylor, Grey (F), Manley, Hill, Barkett, Easters, Boutwell, Hale, Grainger and Harris:

H. 390. To amend Title 13, Section 350; to raise the age of "Juvenile to 18".

Judiciary.

By Messrs. Lutz, Carnes, Taylor, Gray (F), Manley, Hill, Barkett, Easters, Boutwell, Hale, Grainger and Harris:

H. 391. To amend Title 13, Section 352; to provide for persons eighteen years of age being under the jurisdiction of the juvenile courts.

Judiciary.

By Mr. Reynolds (with notice and proof):

H. 392. Relating to Colbert County; to provide for the compensation of certain deputy sheriffs of Colbert County who are engaged in enforcing state traffic and motor vehicle laws to be paid from the county public highway and traffic fund.

Local Legislation No. 1.

Notice and Proof H. 392:

A BILL
TO BE ENTITLED
AN ACT

Relating to Colbert County; to provide for the compensation of certain deputy sheriffs of Colbert County who are engaged in enforcing state traffic and motor vehicle laws to be paid from the county public highway and traffic fund.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Colbert County may, in its discretion, as a part of the cost of traffic regulation and enforcement of motor vehicle laws upon the public highways and roads of Colbert County, pay in whole or in part the compensation of those deputies of the sheriff of Colbert County who are engaged either full time or part time in enforcement of state traffic and motor vehicle laws from the county public highway and traffic fund instead of the general fund of the county, or any other fund heretofore designated by law.

Section 2. This Act shall take effect on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COLBERT COUNTY

Before me, James H. Crawford, a Notary Public in and for said State and County aforesaid, personally appeared Jim Crawford, Jr., Publisher of The Colbert County Reporter, and after being duly sworn by me, deposes and says that the attached Legal Notice was published in the Colbert County Reporter for 4 successive weeks, as follows: April 5, 12, 19 and 26, 1973; That Colbert County Reporter is a weekly newspaper of general circulation in Colbert County, Alabama; That it is entered in the Postoffice at Tuscombua, Alabama, 35674, as second-class mailing matter; That it has been published for 52 successive weeks prior to the publication of this legal notice.

J. W. CRAWFORD, JR.,
Publisher.

Sworn to and subscribed before me, this 7th day of May, 1973.

JAMES H. CRAWFORD.

My Commission Expires November 16, 1973.

By Messrs. McBride, Robertson, Timmons, Ellis and Waggoner:

H. 393. To provide that any active public school teacher may claim retirement credit for a certain number of years lost from the education profession due to honorable military service during World War II and receive benefits provided under the provisions of the Code of Alabama 1940, Title 52, Chapter 14, as amended; to place the duty of collecting the employee's contributions to the Teachers' Retirement System on the County and City Boards of Education or the governing body of any public school employing such teacher, and also the duty of remitting to the Secretary-Treasurer of the Teachers' Retirement System of Alabama the employee's contribution; to provide for payment of employer contributions as necessary and to make an appropriation to carry out the provisions of this Act.

Ways and Means.

By Messrs. McBride, Waggoner and Ellis:

H. 394. To provide an expense allowance for the members of the State Board of Education in addition to certain expenses incurred in attending meetings and transacting business of the board and providing that provisions of Act No. 470, S. 182, Regular Session 1969 (Acts 1969, p. 912) shall not be applicable to the members of said boards.

Ways and Means.

By Mr. Mathews:

H. 395. Relating to counties having a population of not less than 12,000 nor more than 12,800 inhabitants, according to the most recent federal decennial census; to provide further for the compensation of jurors in such counties.

Local Legislation No. 1.

By Mr. Mathews:

H. 396. Relating to all counties having populations of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; providing for an increase in the compensation of the mem-

bers of the board of registrars in such counties and further providing for the method of payment of said compensation by the county governing body in such counties.

Local Legislation No. 1.

By Mr. Mathews:

H. 397. Relating to all counties having populations of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; providing for an increase in the compensation of the members of the boards of equalization in such counties and further providing for the method of payment of said compensation by the county governing body in such counties.

Local Legislation No. 1.

By Mr. Mathews:

H. 398. To authorize the payment of expenses to members of the county board of education in counties having populations of not less than 10,660 nor more than 10,900, according to the most recent or any subsequent federal decennial census, and to authorize the operation of the Act to be retroactive to August 10, 1965.

Local Legislation No. 1.

By Mr. Mathews:

H. 399. To amend Act No. 758, S 556, Regular Session 1967, which Act fixes the salary range of the State Budget Officer, by placing the authority to fix such salary in the State Personnel Board.

Ways and Means.

By Messrs. Flippo and Lyons:

H. 400. Relating to the practice of public accounting; to regulate the practice of public accounting; to create a State Board of Public Accountancy and to provide for its membership and to prescribe its powers and duties; to provide for the regulation, examination, investigation, registration, issuance of certificates and permits, and for the revocation or suspension of certificates, registrations, and permits; to provide fees and charges and for expenses of said Board, making appropriations, prescribing penalties for violations of the Act, and repealing conflicting laws.

Commerce and Transportation.

By Messrs. Kinsey and Benton:

H. 401. To amend Act No. 880, H. 675 of the Regular Session of 1965 which applies in all counties having populations of 60,000 or more according to the 1960 federal decennial census and special courts where probation services for juvenile delinquents is not now provided by the Department of Pensions and Security and regulates the expenditure of state and county funds to pay for the cost of the salaries of juvenile court probation officers in such counties, and makes an appropriation therefor, amending such Act so as to make such Act apply to counties having populations of 59,000 or more according to the most recent federal decennial census.

Ways and Means.

By Mr. Turnham:

H. 402. Relating to counties having a population of not less than 60,000 nor more than 65,000 inhabitants according to the most recent federal decennial census; to provide for the distribution of fines and forfeitures in certain cases.

Local Legislation No. 1.

By Mr. Turnham:

H. 403. To amend Section 5 of Act No. 166, H. 57, Third Special Session 1971 (Acts 1971, p. 4413), entitled, "An Act to amend Title 51, Section 17, Code of Alabama 1940, so as to provide for a system of classification of property for ad valorem tax purposes, and to provide alternative procedures with respect to ad valorem taxes levied by an authority other than the State; to describe and define the various classes of property and to fix with respect to such classes the ratios of assessed value to the fair and reasonable market value of property within such classes; to provide for certain exemptions from taxation."

Ways and Means.

By Messrs. Smith (P), Lyons, Bank, McCorquodale, Hill, Brassell, Mathews, Wallace, Cauthen, Merrill, McDonald, Harris, McCluskey, Stewart, Boutwell, Bowers, Lutz, Carnes, Gray (F), Casey, Taylor, St. John, Kinsey, Jones (F), Perloff, Slate, Manley, Erdreich and Waggoner:

H. 404. To provide a uniform procedure for the adoption of rules by state administrative agencies, and for the review of state agency rules and determinations.

Judiciary.

By Messrs. Smith (P), McCluskey, Drake, Robertson, Carter, Lang, Culver, Boutwell, Waggoner and Jones (F):

H. 405. To designate the wild turkey as the official state game bird for the State of Alabama.

Conservation.

By Messrs. Smith (P), Stewart, McCluskey, Drake and Jones (F).

H. 406. To prohibit the throwing or discharging upon any public or private property, lighted or nonlighted, flaming or glowing substances that may cause fire or from a vehicle or while a pedestrian upon a road, highway or adjoining area; to prohibit the throwing or depositing of waste matter upon highways, rights-of-way, sidewalks or public or private property or into specified bodies of water or banks thereof; to define terms; to prescribe penalties for violations and subsequent violations and to require the preparation and maintenance of records of violations.

Agriculture.

By Messrs. Barkett, Hobbie, Timmons, Cross and Mims:

H. 407. Relating to motor vehicles: To provide means for the recovery of stolen motor vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State Department of Revenue; to provide

for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon; to control vehicle identification number plates of salvaged motor vehicles; to finance title section of the State Department of Revenue; to grant certain powers and authority to and impose certain duties on the State Department of Revenue and to impose penalties for violation of this Act.

Judiciary.

By Mr. Mathews:

H. 408. Relating to all counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; authorizing the county governing body of each of such counties to provide for employment of clerical assistance for the tax assessor, whose compensation is payable out of county funds.

Local Legislation No. 1.

By Messrs. Snell, Connell and Adams:

H. 409. To grant authority to the County Commission or like governing body of each County within the State of Alabama to divide the territory within its County limits, but without the corporate limits of any incorporated municipality, into business, industrial, residential and farming zones or districts and provide the kind and character and use of structures and improvements that may be erected or made within the zones; to provide publication of notice and hearing; to authorize the appointment of zoning commissions to hold hearings and make recommendations and to provide for appeals from decisions of the County Commission its rules, regulations, resolutions and ordinances adopted pursuant to this Act.

Agriculture.

By Mr. Snell:

H. 410. To amend Section 115, of Title 12 Code of Alabama, 1940.

Local Government.

By Mr. Collins (with notice and proof):

H. 411. To fix the salary of the Tax Assessor of Mobile County and to regulate the payment thereof.

Local Legislation No. 3.

Notice and Proof H. 411:

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

Synopsis: This bill has the effect of increasing the salary of the Mobile County Tax Assessor to be comparable to other offices with like responsibilities of the same degree of responsibility as involved in the Mobile County Tax Assessor's Office.

To fix the salary of the Tax Assessor of Mobile County and to regulate the payments thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The Tax Assessor of Mobile County shall be compensated on a salary basis. He shall be paid a salary of twenty-two thousand five hundred dollars per annum. Such salary shall be paid in the same manner and at the same time as salaries are paid to employees of that office.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall take effect at the commencement of the term of office of the Tax Assessor of Mobile County which begins next after the passage and approval of this act.

Judy Beasley being sworn, says that she is Bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register Apr. 5, 12, 19, 26.

JUDY BEASLEY.

Sworn to and subscribed before me this 1st day of May, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. Collins:

H. 412. To amend further Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p. 2363), as amended, entitled "An Act To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payments of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1," so as to exempt all lubricating oils purchased for use as marine ship supplies at seaports in this State from the inspection fee on lubricating oil.

Ways and Means.

By Messrs. Collins, Doss, Merrill, Turnham, Hardin, Smith (P), Stubbs, Naramore, Bank, McDonald, Owens, Mathews, Warren, Cauthen and Waggoner:

H. 413. To regulate further the number, manner of appointment, compensation, duties and term of service of certain legislative subordinate officers and employees, and for such purpose to amend Code of Alabama 1940, Title 32, Section 22, and to amend further Sections 13, 18, 19, 20, 24, 25 and 26 of said title, as heretofore amended; and providing retroactive effect.

Ways and Means.

By Messrs. Lyons, Cauthen, Ellis, McDonald, Stewart, Merrill, Williams, Wallace, Adams, Roberts, Lang, Therrell, Downing, Taylor, King, Culver, Turnham, Wynot, Dill, Waggoner, Connell, Brassell, Robertson, Naramore, Mathews, Gray (F), Parker, Coshatt, Chesnut, Reynolds, Reid (R), Carnes, McBride, Wood, Stokes, Nettles, Agee, McCluskey, Smith (K), Jackson, Harris, Wise, Mims, Easters, Hardin, Casey, Benton, May, Grey (D), Waldrop, McCorquodale, Cottingham, Turner, Carter, Adwell, Cross, Timmons, Jones (E), Flippo, O'Daniel, Hobbie, Barkett, Goodwin, Bank, Callahan, Doss, Erdreich, Falkenburg, Owens, Smith (P), Snell, Hale, Collins, Stubbs, Grainger and Hill:

H. 414. To authorize the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Director of Finance to become a public corporation to be known as Alabama Legislative Building Authority; to provide the procedure for incorporation, to designate the members, directors, and officers of the Authority; to prescribe the powers of the Authority, including the power to provide for the construction, reconstruction, improvement, alteration, and equipment of public office buildings and the acquisition of sites therefor, the power of eminent domain, and the power to sell and issue not exceeding \$12,000,000 principal amount of bonds for such purposes; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create an obligation or debt of the State; to provide that any bonds issued by the Authority may be used as security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to provide for the construction and equipment of buildings by the Authority to provide for a standing legislative committee to approve the selection of architects or engineers and to approve the plans and specifications of buildings constructed by the Authority; to authorize the conveyance to said Authority of lands owned by the State; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues from its facilities as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues which filing will constitute constructive notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to and by the Legislative Branch of the State of Alabama and to and by agencies, boards, commissions, public corporations, bureaus and departments of the State of Alabama and of the United

States, and to private parties, of space for occupancy in said building or buildings; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; and to provide for dissolution of said Authority and conveyance of its assets and properties to the State upon payment of said bonds.

Ways and Means.

By Messrs. Crawford and Connell:

H. 415. To provide for branch banks or branch offices of banks in Henry County.

Local Legislation No. 1.

By Mr. Collins:

H. 416. Relating to banks and branches: To permit a bank maintaining an office for the transaction of banking business within any county of this state to establish additional offices or branches at any place within such county with the consent and approval of the Superintendent of Banks and to repeal all laws or parts of laws in conflict with this Act.

Banking.

By Messrs. Stewart, Erdreich, Lyons, Roberts, Cauthen, McCorquodale, Casey, Doss, Smith (P), Taylor, Merrill, Crowe, Jones (F), King, Flippo, Cross, Wood, Smith (K), Culver, Robertson, Waggoner, Carter, Stokes, Nettles, Therrell, Adams, Brassell, Mims, Harris, Agee, Carnes, Coshatt, Wynot, Grainger, Lutz, Boutwell, Falkenburg, Ellis, Dill, Chesnut, Waldrop, Reynolds, Turner, Cottingham, Snell, McDonald, Reed (T), Naramore, Timmons, Hill, Turnham, Barkett, Hardin, Callahan, McBride, Hale and Jackson:

H. 417. To provide for additional employees in the Legislative Reference Service and to further provide for the periodic travel into the various legislative districts in order to aid and assist the legislators in carrying out their duties and makes an appropriation to carry out the provisions of this Act.

Ways and Means.

By Messrs. Connell, Snell, Cottingham, Turner, Chesnut, Adams, Mims, Dill, Boles, Parker, Taylor, Doss, Wallace, Waggoner, Jones (E), Crawford, McCorquodale, Grey (D), Easters, Wise, Jones (F), Boutwell, Brassell, Ellis, King, Coshatt, Wynot, Smith (K), Goodwin, Reynolds, Timmons, Lyons, Drake, Stewart, Weeks, Robertson, Manley, Williams, Cauthen, Carter, Pruitt, Lang, Harris, Hobbie, Owens, Culver and Turnham:

H. 418. To amend the Title and Sections 1, 4, 7, 8, 9, 12, 14, 15, 20 and 21 of the Alabama Turnpike Authority Act, pertaining, respectively, to Legislative Purpose, Powers of the Authority, Bonds and Notes of the Authority, Security for the Bonds, Tolls and Other Charges, Exemptions from Taxation, Projects to be Kept in Good Repair, Regulations and Police Service for Projects, Refunding Bonds and Preliminary Study of Project.

Ways and Means.

By Messrs. Erdreich, Jones (F), Ellis and McBride:

H. 419. To amend Title 52, Section 100, Code of Alabama, 1940, changing the name of School Trustees to that of Local School Advisory Committee and to repeal Title 52, Sections 138, 139, 140, 141, 143, 144, 145, 146, and 147 and to further provide for the selection of Local School Advisory Committees and specify their powers.

Education.

By Messrs. Reed (T) and Easters:

H. 420. To preclude the birth of a child within the walls of a state penitentiary by requiring the removal from such prison of every pregnant female confined therein to a suitable place or hospital outside the prison walls for the birth of her child, and providing for the payment of the expenses incident to the removal, care and safekeeping of such pregnant convicts.

Public Welfare.

By Messrs. Casey, Taylor, Wood, Manley, Cauthen, Boutwell, Erdreich, Hill and Gray (F):

H. 421. To fix the annual compensation of the chief justice of the supreme court, associate justices of the supreme court, judges of the courts of appeal, and circuit court judges.

Ways and Means.

By Messrs. Casey, Taylor, Wood, Merrill, McCluskey, Perloff, Manley, Cauthen, Boutwell, Erdreich, Doss, Hill and Gray (F):

H. 422. To provide for the incorporation of Alabama Judicial Building Authority as a public corporation for the purpose of acquiring, financing and leasing facilities designed primarily for use by the appellate courts of the State of Alabama; to provide the procedure for incorporation; to designate the members, directors and officers of the Authority; to provide for the powers of the Authority; to authorize the Authority to acquire, construct, operate and finance facilities designed primarily for use by the appellate court of the State in the City of Montgomery, Alabama; to confer on the Authority the power of eminent domain; to provide for the issuance by the Authority for its corporate purposes of interest bearing bonds not exceeding \$9,500,000 in aggregate principal amount, payable solely out of the revenues of the facilities of the Authority; to provide that such bonds shall constitute negotiable instruments; to provide that bonds issued by the Authority shall not constitute or create a debt of the State; to provide for the refunding, by the issuance of bonds of the Authority, of bonds theretofore issued by it; to provide that bonds issued by the Authority may be secured by a pledge of the revenues from which they are payable, by contracts binding the Authority for the proper applications of its revenues and proceeds of such bonds, and by a non-foreclosable statutory mortgage lien on the facilities out of the revenues from which such bonds are payable; to provide for constructive notice of any such statutory mortgage lien; to provide for the use of proceeds of any bonds issued by the Authority; to provide for the investment, pending the need therefor, of the proceeds from the sale of the bonds of the Authority and any other moneys of the Authority not presently needed; to provide that any bonds issued by the Authority may be used as security for deposits and investment of public funds and fiduciary funds; to exempt the property and income of the Authority,

and all bonds issued by it and the income therefrom and conveyances and leases to which the Authority is a party, from all taxation in the State, and to exempt the Authority from payment of certain charges to the judges of probate; to provide that any bonds of the Authority owned by a foreign corporation shall not constitute capital employed in the State for the purpose of determining liability for franchise and similar taxes; to provide that the State Treasurer shall be the treasurer of the Authority and the custodian of its funds; to authorize the conveyance to the Authority of land of the State located in the City of Montgomery; to authorize the lease by the Authority of its facilities to the State and to others; to authorize the lease by the State and its agencies of facilities from the Authority; to authorize the publication of notice of any resolution authorizing any bonds, pledges and covenants and to specify a limitation of time thereafter for actions or defenses respecting said bonds, pledges and covenants, and to provide for dissolution of the Authority and conveyance of its assets and properties to the State upon payment of said bonds; and to grant power and provide restrictions incidental to the performance of the foregoing.

Ways and Means.

By Messrs. Reed (T) and Easters:

H. 423. To require that every pregnant female confined or imprisoned in a county jail be removed to a suitable place or hospital for the birth of her child, and provide for the payment of the expenses incident to the removal, care and safekeeping of such pregnant prisoner.

Public Welfare.

By Messrs. Reed (T) and Easters:

H. 424. To provide for the payment of a bonus to all Alabama veterans of World War I, World War II, the Korean Conflict and the Vietnam Conflict; to appropriate funds to carry out the provisions of this Act.

Ways and Means.

By Messrs. McCorquodale and Agee:

H. 425. To create the position of deputy coroner in all counties having a population of not less than 26,000 nor more than 26,800 inhabitants according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Ellis, Turnham and Bank:

H. 426. To declare the need for training emergency medical technicians; to authorize the state health department to contract with the state department of education to provide such training courses through existing vocational or technical schools and junior colleges; and to appropriate funds therefor.

Ways and Means.

By Messrs. Ellis, Connell, Boutwell, Turner, Taylor, Turnham, Barkett, Hobbie, Easters, Lang, Timmons, Owens and Doss:

H. 427. To prohibit the transportation of blasting caps and explosives

in the same vehicle over the public roads and highways or in railroad cars on railroads in this state; prescribing penalties for the violation of this Act.

Highway Safety.

By Messrs. Ellis, Connell, Boutwell, Collins, Taylor, Turnham, Barkett, Hobbie, Easters, Lang, Timmons and Owens:

H. 428. To create the "Automotive Safety Enforcement Division" within the Alabama Department of Public Safety; which division shall be empowered to make certain inspections relative to automotive safety and perform certain other duties and functions enumerated hereinafter in this Act; and to provide penalties for the violation of this Act.

Judiciary.

By Mr. Owens:

H. 429. To amend Section 4 of Act No. 241, H. 186, Regular Session 1967 (Acts 1967, p. 622), which act relates to penalty for allowing livestock to pasture on highway right of way, so as to provide further penalty therefor.

Agriculture.

By Mr. Owens:

H. 430. To amend Section 2 of Act No. 822, H. 50, Regular Session 1951 (Acts 1951, p. 1454), which relates to impounding animals running at large, so as to increase the fee for the return to the owner of such livestock.

Agriculture.

By Mr. Owens:

H. 431. To provide that all owners of certain livestock keep a lawful fence as hereinafter defined; and to provide a penalty for failure to keep such a fence.

Agriculture.

By Messrs. Downing, Stokes, Wood, Carnes, Taylor, Roberts, Brassell, Agee, Manley, Callahan, McDonald and Merrill:

H. 432. To amend Section 1 of Act No. 699, S. 70, Regular Session, 1969 (Acts 1969, p. 1255) which provides for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; and also provides for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests, so as to provide for the immediate reinstatement of a person's driving privilege upon his being acquitted on the charge of driving a motor vehicle upon the highways of this state while under the influence of intoxicating liquor.

Judiciary.

By Messrs. Downing, Stokes, Therrell, Callahan and Roberts:

H. 433. To amend Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 Et Seq.), Entitled: "AN ACT Relating to all counties having populations of not less than 300,000 nor more than 600,000 according

2nd Day

to the most recent decennial census; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers and duties of the commission; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county", so as to delete from Section 1 and Section 10 (c) references therein to the county of Mobile; to provide for the term during which the members of said Racing Commission shall hold office; to change the method of appointing the members of said Racing Commission; to add a new provision to provide for the severability of the parts, sections and provisions of said Act; and to amend the title of said Act.

Local Legislation No. 3.

By Messrs. Callahan, Hill, Waggoner, Nettles, Wood, Therrell, Downing, Stokes, Jones (F), Wynot and Taylor:

H. 434. To prohibit any state, county or municipal agency from establishing a minimum retail price on milk.

Agriculture.

By Messrs. Callahan, Hobbie and Downing:

H. 435. To provide additional income tax exemptions on certain salaries and wages paid to law enforcement officers and firemen.

Ways and Means.

By Messrs. Callahan and Downing:

H. 436. To provide that all retirement income or disability pay received by any retired military personnel shall be exempt from all state, county or city income taxes or like taxes.

Ways and Means.

By Messrs. Brassell, Adams and Turnham:

H. 437. To provide for a secretarial assistant for the district attorney of the 26th Judicial Circuit, establishing the compensation for said position and making the provisions of this Act retroactive to July 1, 1972.

Local Legislation No. 1.

By Mr. Stokes:

H. 438. To provide for the payment of interest on all security or breakage deposits required by the legal owners of any real property which is rented or leased for single family or multi-family purposes and to prescribe penalties for the violation of any of the provisions of this act.

State Administration.

By Messrs. Stokes, Flipppo, Roberts and King:

H. 439. To provide that apartment house owners who charge a security damage deposit are prohibited from not refunding such deposits to tenants

REGULAR SESSION
2nd Day

193

upon vacation by such tenants, unless there occurs damage or waste to the premises over and above ordinary wear and tear; and to provide for a penalty damage award against a landlord who violates this act.

State Administration.

By Mr. Stokes (with notice and proof):

H. 440. To increase the salary of the clerk of the Court of General Sessions of Mobile County.

Local Legislation No. 3.

Notice and Proof H. 440:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To increase the salary of the clerk of the Court of General Sessions of Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the abolishment of the Inferior Civil Court of Mobile County and the transfer of all causes and cases pending in said court, together with the records, documents and papers pertaining thereto, to the Court of General Sessions of Mobile County, the salary of the clerk of the Court of General Sessions shall be increased by \$1,500 per annum.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation

published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 12, 19, 26, and May 3, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me May 10, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. Stokes (with notice and proof):

H. 441. To abolish the Inferior Civil Court of Mobile County; to provide for the transfer of cases and causes therein pending to the Court of General Sessions of Mobile County; to repeal conflicting laws and specifically to repeal Act No. 312, H. 766, approved April 13, 1911 (Local Acts 1911, p. 274), and all amendments thereto.

Local Legislation No. 3.

Notice and Proof H. 441:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To abolish the Inferior Civil Court of Mobile County; to provide for the transfer of cases and causes therein pending to the Court of General Sessions of Mobile County; to repeal conflicting laws and specifically to repeal Act No. 312, H. 766, approved April 13, 1911 (Local Acts 1911, p. 274), and all amendments thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. The Inferior Civil Court of Mobile County created by Act No. 312, H. 66, approved April 13, 1911 (Local Acts 1911, p. 274), is hereby abolished.

Section 2. All causes and cases pending in the Inferior Civil Court of Mobile County, together with the records, documents and papers pertaining thereto, shall be immediately transferred upon this act becoming law to the Court of General Sessions of Mobile County. The Court of General Sessions of Mobile County shall immediately assume complete jurisdiction over all of such pending cases, and shall have the same power and control over the same as if they had been originally filed in the Court of General Sessions of Mobile County, and the clerk of this court shall enter on the appropriate dockets of

REGULAR SESSION
2nd Day

195

this Court all cases now pending in the Inferior Civil Court of Mobile County. All judgments heretofore rendered by the Inferior Civil Court of Mobile County shall be the same and shall have the same force and effect as if they had been rendered by the Court of General Sessions of Mobile County and said Court of General Sessions of Mobile County shall have the same power and control over such judgments and shall issue executions and all other appropriate processes thereon in all respects as if the judgment and decree had heretofore been rendered by said Court of General Sessions of Mobile County.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws and parts of laws in conflict with this act are hereby repealed and Act No. 312, H. 766, approved April 13, 1911 (Local Acts 1911, p. 274), and all amendments thereto, are specifically repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 12, 19, 26, and May 3, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me May 10, 1973.

GARY L. RICHARDSON,
Notary Public.

By Messrs. Stokes, Nettles, Downing and Callahan:

H. 442. To further amend Section 2 of Act No. 287, H. 193, First Special Session 1965 (Acts 1965, p. 395), which section relates to the compensation of members of the board of commissioners in cities having populations of not less than 175,000 nor more than 275,000 inhabitants, according to the last federal decennial census, so as to increase the compensation of said members.

Local Legislation No. 3.

By Messrs. Stokes and Roberts:

H. 443. To apply in all counties in this state having populations in excess of 150,000 according to the most recent federal decennial census; to re-

quire the presentation of a master plumber's certificate of competency as a condition to the issuance of a state or county business license for plumbing.

Business and Labor.

By Messrs. Stokes, Nettles and Roberts:

H. 444. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Local Legislation No. 3.

By Messrs. Stokes and Roberts:

H. 445. To further amend the title and Sections 1, 7, 10 and 16 and to amend Sections 14 and 15, all of Act No. 529, General Laws of Alabama, approved September 2, 1949 (Acts of Alabama, 1949, p. 827 et seq.), which relates to plumbers, plumber examining boards and the performance of plumbing work in all counties having populations of not less than 150,000 according to the most recent federal decennial census.

Business and Labor.

By Mr. Fite (with notice and proof):

H. 446. Relating to Marion County; to further regulate branch banking in such county.

Local Legislation No. 1.

Notice and Proof H. 446:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage, and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County; to further regulate branch banking in such county.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply only to Marion County in the State of Alabama.

2. Any bank located in an incorporated municipality which is contiguous to an incorporated municipality that does not have banking facilities shall have the power to establish, maintain and operate within the corporate limits of the contiguous municipality which does not have banking facilities one or more branches or branch banks, branch offices, branch agencies, additional offices or branch places of business for the receipt of deposits, payment

of checks, lending of money and the conduct of a general banking and trust business, provided that such bank before the establishment of such branch or branches, shall first secure the written consent thereto of the state superintendent of banks.

3. The provisions of Code of Alabama 1940, Title 5, Section 125, which conflicts with this Act are specifically repealed as to the incorporated municipality in which this Act applies, and all other laws, general or local in conflict herewith are also repealed as to such incorporated municipality.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald E. Gipson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 18, 25, Feb. 1, and 8, all in the year 1973.

DONALD E. GIPSON.

Sworn to and subscribed before me March 13, 1973.

RAYMOND C. LOGAN,
Notary Public.

By Messrs. Adams and May:

H. 447. To amend further Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p. 2363), as amended, which provided for the inspection and the charging of an inspection fee on certain petroleum products so as to provide that the inspection fee on kerosene or diesel fuel used in the treatment or preservation of wood products shall be one-fortieth of one cent (1/40¢) per gallon.

Ways and Means.

By Messrs. Wallace, Doss, Erdreich, Boutwell, Falkenburg, Waggoner, Timmons, Jones (E), Boles, Reed (T), Wise, Reid (R), Naramore, Manley, Culver, Robertson, Bank, Chesnut, McCluskey, Stewart, Adwell, Crowe, Carter, Headley, Hill, Perloff, Casey, Ellis, Jackson, Hobbie, Stokes, Collins, Hardin, Gafford, Flippo, Cross, Merrill, Pruitt, Downing, Wood, Therrell, Mims, Lyons, Cauthen, Waldrop, Reynolds, Bowers, Adams, Agee, Callahan, Lang, Warren, Harris, Kinsey, Cottingham, Williams, Wynot, Hearn, Meeks, Smith (P), Easters, Barkett, Edwards,

Goodwin, Grainger, St. John, Drake, Burgess, Stubbs, McCorquodale, Carnes, Connell, Roberts, Brassell, Turner, Snell and Parker:

H. 448. To amend the title and Sections 1 and 3 of Act No. 2307, S. 250, of the Regular Session of 1971 (Acts of 1971, p. 3728), which provides for covering certain employees of public school systems in the Teachers' Retirement System so as to include persons employed by such public school systems as custodians and janitors among the employees who may be covered by the Teachers' Retirement System.

Ways and Means.

By Messrs. Waldrop, Chesnut and Carnes:

H. 449. To provide further for the retirement of teachers under the Teachers Retirement System of Alabama, by allowing a member of such system to retire after thirty years of creditable service regardless of age.

Ways and Means.

By Messrs. Timmons, Owens, Kinsey, Dill, Hardin, Edwards, Naramore, Reid (R), Culver, Parker, Ellis, Adwell, Bank, Goodwin, Connell and Grey (D):

H. 450. Relating to motor vehicle insurance: providing definitions; requiring security by motor vehicle owners; requiring motor vehicle no-fault reparation insurance and liability insurance up to certain limits and limiting tort liability; providing penalties for failure to show proof of security; providing personal injury protection benefits; providing for priority of payment of benefits; providing for tort exemptions and limitation on damages; providing for certain deductibles; providing for subrogation; providing that the insurance department shall adopt rules and regulations necessary to implement this act; providing rights of residents; providing that insurers file proposed manual, rules, rates and rating plans with the insurance department for approval; providing that insurers shall make certain rate reductions; providing for severability; providing an effective date.

Insurance.

By Messrs. Carnes, Waldrop and Wynot:

H. 451. To authorize the governing bodies of counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census to make expenditures from the general funds of such counties to purchase judicial robes.

Local Legislation No. 1.

By Messrs. Carnes, Waldrop and Wynot:

H. 452. To supplement the Solicitor's (District Attorney's) Fund in counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; to provide for the appropriation of moneys to said fund from Solicitor's fees taxed and collected in all criminal cases in both circuit and county courts within said counties; and to authorize expenditures of said fund by the Circuit Solicitor (District Attorney) for law enforcement and the discharge of the duties of this office.

Ways and Means.

By Messrs. Wynot, Carnes and Waldrop:

H. 453. To set a monthly expense allowance for members of city boards of education of municipalities located in counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Carnes, Wynot and Waldrop (with notice and proof):

H. 454. To alter, rearrange and extend the boundaries of the City of Gadsden, so as to include within the corporate limits thereof certain property consisting of a part of Section 15, Township 12 South, Range 6 East, and including all or portions of the NE $\frac{1}{4}$, Fraction "A" and Fraction "B", north and south of the Cherokee Indian Boundary Line, and including all of those properties of Gadsden State Junior College and the Alabama School of Trades not now within the corporate limits of the City of Gadsden, as well as those portions of the Coosa River and adjacent areas below 511.0 elevation.

Local Legislation No. 1.

Notice and Proof H. 454:

NOTICE

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment made:

Synopsis: This bill alters, rearranges and extends the boundaries of the City of Gadsden, so as to include within the corporate limits thereof certain property consisting of a part of Section 15, Township 12 South, Range 6 East, and including all or portions of the NE $\frac{1}{4}$, Fraction "A" and Fraction "B", north and south of the Cherokee Indian Boundary line, and including all of those properties of Gadsden State Junior College and the Alabama School of Trades not now within the corporate limits of the City of Gadsden, as well as those portions of the Coosa River and adjacent areas below 511.0 elevation.

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundaries of the City of Gadsden, so as to include within the corporate limits thereof certain property consisting of a part of Section 15, Township 12 South, Range 6 East, and including all or portions of the NE $\frac{1}{4}$, Fraction "A" and Fraction "B", north and south of the Cherokee Indian Boundary Line, and including all of those properties of Gadsden State Junior College and the Alabama School of Trades not now within the corporate limits of the City of Gadsden, as well as those portions of the Coosa River and adjacent areas below 511.0 elevation.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Gadsden, in Etowah County, Alabama, are hereby altered, rearranged and extended so as to include within

the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Begin at the northeast corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 15, T 12 S, R 6 E; thence south along the east line of said quarter quarter to a point on the west line of Block 1 of the Rearrangement of Lots 34 and 36, Block 2, and Lots 19-24, Block 1, of Crestview Land Company's Addition, as recorded in Plat Book "E," Page 225; thence south 27 degrees 22' west along the west line of said rearrangement to the southwest corner of Block 1 of the Rearrangement of Lots 34 and 36, Block 2, and Lots 19-24, Block 1, of Crestview Land Company's Addition, as recorded in Plat Book "E," Page 225, thence south 50 degrees 13' east to the southeast corner of Lot 19, Block 7, Crestview Land Company's Addition, as recorded in Plat Book "D," Page 145; thence south 34 degrees 37' west for a distance of 2202 feet, more or less, to the southeast corner of Fraction "B," Section 15, T 12 S, R 6 E; thence south 87 degrees 30' west along the south line of Fraction "B," to a point on the east bank of the Coosa River; thence continue south 87 degrees 30' west along the south line of Fraction "B," projected, crossing the Coosa River, to a point on the west bank of the Coosa River at the contour elevation of 511.0 feet above mean sea level datum, as established by the United States Coast and Geodetic Survey, as adjusted in January, 1955, and the present city limits of Gadsden; thence continue along the meander of said city limits to the point where it intersects Rainbow Drive on its east side and crosses to the west side of same; thence continue northerly along said west right-of-way of Rainbow Drive and said city limit to the point said city limits intersects the 511 contour line at Big Wills Creek bridge; thence continue to follow easterly the present city limits along the 511 contour line and northerly along the west bank of the Coosa River to the point where the City limits line intersects the northwest corner of Section 15, R 6 E, T 12 S; and thence easterly along the north line of said Section and the present city limits to the point of beginning.

Said properties being a part of Sec. 15, T 12 S, R 6 E, and including all or portions of the NE $\frac{1}{4}$, Fraction "A" and Fraction "B," north and south of the Cherokee Indian Boundary Line, and including all of those properties of Gadsden State Junior College and the Alabama School of Trades, not now incorporated into the City of Gadsden, as well as those portions of the Coosa River and adjacent areas below 511.0 elevation.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA ETOWAH COUNTY

Before me, Peggy Ann Culberson a Notary Public, in and for said County, in said State, personally appeared Geraldine M. Gladden, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. Bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of The State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

REGULAR SESSION
2nd Day

201

That there is glued to said affidavit notice of the Bill to Legislature, which notice was printed in The Gadsden Times in its regularly circulated editions on Sept. 11, 18, 25, and Oct. 2nd, 1972, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appears in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 17th day of October, 1972.

GERALDINE M. GLADDEN.

Subscribed and sworn to before me on this 17th day of Oct., 1972.

PEGGY ANN CULBERSON,
Notary Public.

By Mr. Fite (with notice and proof):

H. 455. Relating to Marion County: To provide for an additional expense allowance for each member of the Marion County Commission.

Local Legislation No. 1.

Notice and Proof H. 455:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County: To provide for an additional expense allowance for each member of the Marion County Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the Marion County Commission shall be entitled to receive an expense allowance of \$100 per month to be paid out of the county treasury which shall be in addition to all other salary, compensation, and expense allowances provided for by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald E. Gipson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was pub-

lished in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 8, 15, 22, and March 1, all in the year 1973.

DONALD E. GIPSON.

Sworn to and subscribed before me March 13, 1973.

RAYMOND C. LOGAN,
Notary Public.

By Mr. Fite (with notice and proof):

H. 456. To provide further for the compensation of the deputy district attorney for Marion County.

Local Legislation No. 1.

Notice and Proof H. 456:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide further for the compensation of the deputy district attorney for Marion County.

Be It Enacted by the Legislature of Alabama:

Section 1. The deputy district attorney for Marion County shall receive a salary of \$500 per month to be paid in the same manner as other deputy district attorneys in this State.

Section 2. The provisions of this Act shall become effective upon the expiration of the term of the current deputy district attorney for Marion County.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald E. Gipson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said

REGULAR SESSION
2nd Day

203

paper on January 11, January 18, January 25, and February 1, all in the year 1973.

DONALD E. GIPSON.

Sworn to and subscribed before me 13th March, 1973.

RAYMOND C. LOGAN,
Notary Public.

By Mr. Fite (with notice and proof):

H. 457. To provide additional exemptions from the sales and use taxes levied in Marion County under the provisions of Act No. 647, H. 871, 1967 Regular Session, (1967 Acts, p. 1460).

Ways and Means.

Notice and Proof H. 457:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide additional exemptions from the sales and use taxes levied in Marion County under the provisions of Act No. 647, H. 871, 1967 Regular Session, (1967 Acts, p. 1460).

Be It Enacted by the Legislature of Alabama:

Section 1. There shall be exempted from any taxes levied under the provisions of Act No. 647, H. 871, 1967 Regular Session, (1967 Acts, p. 1460), the gross proceeds of the sale of, and the storage, use or consumption of ammonium nitrate used for blasting in the coal mine industry, which exemptions shall be in addition to any and all other exemptions prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald E. Gipson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was

Publisher of the Marion County Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 11, January 18, January 25, and February 1, all in the year 1973.

DONALD E. GIPSON.

Sworn to and subscribed before me 13th March, 1973.

RAYMOND C. LOGAN,
Notary Public.

By Mr. Fite (with notice and proof):

H. 458. Relating to Marion County; to provide for the monthly salary and expense allowance of the chief deputy sheriff and all additional deputy sheriffs in said county; repealing conflicting legislation.

Local Legislation No. 1.

Notice and Proof H. 458:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County; to provide for the monthly salary and expense allowance of the chief deputy sheriff and all additional deputy sheriffs in said county; repealing conflicting legislation.

Be It Enacted by the Legislature of Alabama:

Section 1. In Marion County the chief deputy sheriff shall receive for his services a salary of \$500.00 per month and an expense allowance of \$100.00 per month as may be fixed by the county governing body and each additional deputy sheriff shall receive for his services a salary of \$450.00 per month and expenses of \$100.00 per month as may be fixed by the county governing body. Such salary and expense allowance shall be paid from the county treasury.

Section 2. All laws or parts of laws whether general, special or local, which conflict with this Act are repealed and Act No. 2377, H. 229, 1971 Regular Session (1971 Acts, p. 3806); Act No. 2391, H. 253, 1971 Regular Session (1971 Acts, p. 3815); and Act No. 67, H. 740, Regular Session 1969 (Acts 1969, p. 358) as amended are hereby repealed. That portion of all acts providing for the employment of chief deputy sheriffs and additional deputy sheriffs in Marion County which make provision for a salary or an expense allowance are hereby superseded by the provisions of this Act, it being the legislative intention that this Act hence forth govern the payment of salaries and expense allowances for all deputy sheriffs in Marion County.

Section 3. The provisions of this Act shall become effective on the First day of the month next succeeding the effective date of this Act.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald E. Gipson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 15, March 22, March 29, and April 5, all in the year 1973.

DONALD E. GIPSON.

Sworn to and subscribed before me April 27, 1973.

JAMES K. DAVIS,
Notary Public.

By Mr. Fite (with notice and proof):

H. 459. To make an appropriation from the Marion County treasury for the relief of Olen Gann.

Local Legislation No. 1.

Notice and Proof H. 459:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage, and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation from the Marion County treasury for the relief of Olen Gann.

Be It Enacted by the Legislature of Alabama:

Section 1. The Marion County Commission is hereby authorized, empowered, and directed to appropriate the sum of \$225.55 for the relief of Olen Gann to compensate him for personal property sustained in an accident involving a truck owned by Marion County, which said accident occurred on or about the 14th day of August, 1972, under such circumstances that said county is morally and justly obligated to pay damages, but the said Olen Gann has no recourse at law to recover the same.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald E. Gipson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 18, January 25, February 1, and February 8, all in the year 1973.

DONALD E. GIPSON.

Sworn to and subscribed before me 13th March, 1973.

RAYMOND C. LOGAN,
Notary Public.

By Mr. Fite (with notice and proof):

H. 460. To further amend Section 5 of Act No. 82, H. 250, Regular Session 1935, approved June 3, 1935 (Local Acts 1935, p. 18), as last amended, an act relating to the County Superintendent of Education of Marion County so as to provide further for the salary of such superintendent.

Local Legislation No. 1.

Notice and Proof H. 460:

STATE OF ALABAMA COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To further amend Section 5 of Act No. 82, H. 250, Regular Session 1935, approved June 3, 1935 (Local Acts 1935, p. 18), as last amended, an act relating to the County Superintendent of Education of Marion County so as to provide further for the salary of such superintendent.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 82, H. 250, Regular Session 1935, approved June 3, 1935 (Local Acts 1935, p. 18), as heretofore amended, is hereby further amended to read as follows:

REGULAR SESSION
2nd Day

207

"Section 5. The salary of said County Superintendent of Education shall be fixed by the county board of education in the amount of sixteen thousand five hundred dollars per annum. Such salary shall be paid in the same manner and from the same sources as provided by the general law for the payment of the compensation of the county superintendents of education in the several counties."

Section 2. The provisions of this Act shall become effective concurrently with the next term of office of the County Superintendent of Education of Marion County.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald E. Gipson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 8, February 15, February 22, and March 1, all in the year 1973.

DONALD E. GIPSON.

Sworn to and subscribed before me 13th March, 1973.

RAYMOND C. LOGAN,
Notary Public.

By Mr. Fite (with notice and proof):

H. 461. To authorize any bank situated in an incorporated municipality in Marion County, Alabama to establish, operate and maintain branch banks or additional offices or places of business within said incorporated municipality.

Local Legislation No. 1.

Notice and Proof H. 461:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage, and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize any bank situated in an incorporated municipality in Marion County, Alabama to establish, operate and maintain branch banks or additional offices or places of business within said incorporated municipality.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank situated within any incorporated municipality in Marion County may, with the approval of the State superintendent of banks, establish, maintain and operate branch banks, or additional offices or places of business for the receipt of deposits, payment of checks, making of loans, and conducting a general banking business within such incorporated municipality.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald E. Gipson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 18, January 25, February 1, and February 8, all in the year 1973.

DONALD E. GIPSON.

Sworn to and subscribed before me 13th March, 1973.

RAYMOND C. LOGAN,
Notary Public.

By Mr. Fite (with notice and proof):

H. 462. To authorize any municipality in Marion County to operate a public ambulance service and to use any civil defense ambulance or other civil defense equipment they have in their possession for such public ambulance service purposes.

Local Legislation No. 1.

Notice and Proof H. 462:

STATE OF ALABAMA COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize any municipality in Marion County to operate a public ambulance service and to use any civil defense ambulance or other civil defense

equipment they have in their possession for such public ambulance service purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. Any incorporated municipality in Marion County is hereby authorized and empowered to operate a public ambulance service and in connection with such a service they are hereby authorized to make such charges for the service as are commensurate with the cost of operation of same and to expend public monies in the operation of such service and they are specifically authorized to use any civil defense ambulances with said public ambulance service. The governing body of such municipalities are hereby empowered to make such rules and regulations and to pass any ordinance necessary to carry out the provisions and purposes of this act.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald E. Gipson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 5, 12, 19, and 26, all in the year 1973.

DONALD E. GIPSON.

Sworn to and subscribed before me April 27, 1973.

JAMES K. DAVIS,
Notary Public.

By Messrs. Stubbs, Wood, Adams, Callahan, Therrell, Turnham, Perloff, Cross, Hobbie, Robertson and Erdreich:

H. 463. Relating to the implementation of a State policy for elimination of wage discrimination between men and women for jobs involving essentially the same knowledge, skill, effort and responsibility.

Business and Labor.

By Messrs. Stubbs, Waggoner, Owens, Jones (E), Doss, Erdreich, Falkenburg, Boutwell, McBride, Ellis, Dill, Wallace, Turner, Cottingham, Headley, Hardin and Adwell:

H. 464. Relating to the Cahaba River; to determine certain waters of said river to be navigable, and to constitute a navigable watercourse and a public thoroughfare; to prohibit any person, firm, corporation, or association

from obstructing boat or canoe travel on said river in any manner; to prohibit the building of any structure on the waters of said river without approval of the Department of Conservation and to authorize the State to purchase existing structures by right of eminent domain.

Conservation.

By Mr. Coshatt (with notice and proof):

H. 465. To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

Local Legislation No. 1.

Notice and Proof H. 465:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

Be It Enacted by the Legislature of the State of Alabama:

Section 1. The boundary lines and corporate limits of the City of Pell City in St. Clair County are hereby altered, rearranged and extended so as to include within the corporate area now embraced within the corporate limits of the town, the following described property:

All that part of the West $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 36, Township 16, Range 3 East that lies South of Interstate Highway I-20, all that part of Section 35, Township 16, Range 3 East lying South of Interstate Highway I-20; and all that part of the East $\frac{1}{2}$ of Section 34, Township 16, Range 3 East not heretofore incorporated within the city limits of Pell City, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the St. Clair Observer a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost

REGULAR SESSION
2nd Day

211

to the State of Alabama, said notice having appeared in the issues of said paper on March 29, April 5, 12, and 19, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me April 26, 1973.

ANNE T. MILAM,
Notary Public.

By Mr. Coshatt (with notice and proof):

H. 466. Relating to St. Clair County; to provide further for the compensation of jurors.

Local Legislation No. 1.

Notice and Proof H. 466:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County; to provide further for the compensation of jurors.

Be It Enacted by the Legislature of Alabama:

Section 1. In St. Clair County, regular jurors, both grand and petit, shall be entitled to ten dollars for each day's service, ten cents for each mile traveled in going to and returning from court, and ferriage and toll, to be provided by the oath of the juror before the clerk of the court. The clerk of the court shall give each juror a certificate as provided in the Code of Alabama, Title 11, Section 98, which shall be payable as provided in said section.

Section 2. The provisions of this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the St. Clair Observer a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to

2nd Day

the State of Alabama, said notice having appeared in the issues of said paper on March 15, 22, 29, and April 5, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me April 26, 1973.

ANNE T. MILAM,
Notary Public.

By Mr. Coshatt (with notice and proof):

H. 467. Legalizing the sale of draft or keg beer or malt beverages in St. Clair County.

Local Legislation No. 1.

Notice and Proof H. 467:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Legalizing the sale of draft or keg beer or malt beverages in St. Clair County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Alabama alcoholic beverage control board may in its discretion grant permits to licensed retailers to sell or dispense draft or keg beer or malt beverages anywhere within St. Clair County, the provisions of Code of Alabama 1940, Title 29, Section 34 to the contrary notwithstanding and the board may revoke any such permit so granted if, in the judgment of the board, the sale of draft or keg beer or malt beverages in the community is prejudicial to the welfare, health, peace and safety of the people of the community or of the state.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Book-

keeper of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 8, 15, 22, and March 1, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me April 6, 1973.

ANNE T. MILAM,
Notary Public.

By Mr. Coshatt (with notice and proof):

H. 468. Relating to St. Clair County; to require all county and municipal governing bodies, boards, agencies and institutions receiving any public tax revenues to publish certain annual financial data; providing penalties for failure to comply with the provisions of this Act.

Local Legislation No. 1.

Notice and Proof H. 468:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County; to require all county and municipal governing bodies, boards, agencies and institutions receiving any public tax revenues to publish certain annual financial data; providing penalties for failure to comply with the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. In St. Clair County all county and municipal governing bodies, boards, agencies and institutions receiving any public tax revenues shall publish annually in a newspaper published and circulated in St. Clair County an annual financial statement, the contents of such annual financial statement to be prescribed by the State Examiner of Public Accounts, and which shall contain a list of the amount of salary, expenses and other compensation paid to each official, agent or employee during the year covered by the financial statement.

Section 2. Members of any county or municipal governing body, board, agency or institution which fail or refuse to publish the statement required by this Act within six months after the end of the fiscal year under which they operate shall be deemed guilty of a misdemeanor and upon conviction shall be punished as provided for by law.

2nd Day

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 8, 15, 22, and March 1, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me April 6, 1973.

ANNE T. MILAM,
Notary Public.

By Mr. Coshatt (with notice and proof):

H. 469. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Odenville and at Steele in said County.

Local Legislation No. 1.

Notice and Proof H. 469:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Odenville and at Steele in said County.

Be It Enacted by the Legislature of Alabama:

Section 1. When permitted by its charter and by-laws, and approved by the State Banking Department and the Federal Deposit Insurance Corporation any bank situated in St. Clair County shall be authorized to open, establish, operate and maintain at Odenville and at Steele in said county, a branch bank, branch office or other place of business for the receipts of deposits, payment of checks, and conducting a general banking business.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Book-keeper of the St. Clair Observer a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 22, 29, April 5, and 12, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me April 26, 1973.

ANNE T. MILAM,
Notary Public.

By Mr. Jones (F) (with notice and proof):

H. 470. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 1, Township 16 N, Range 18 E, Montgomery County, Alabama.

Local Legislation No. 4.

Notice and Proof H. 470:

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To Alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 1, Township 16 N, Range 18E, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said city additional territory lying within the following described boundaries, to-wit:

The Southeast Quarter of the Northwest Quarter of Section 1, Township 16 North, Range 18 East; all that portion of the West Half of the West Half of said section lying North of the Seaboard Coastline Railroad; and all that

portion of the West Half of the East Half of the Southwest Quarter of said section lying North of said railroad; and all that portion of the West Half of the East Half of the East Half of the Southwest Quarter of said section lying North of said railroad.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONTGOMERY

W. T. Johnson, being sworn, says that he is editor and publisher of The Montgomery Independent, a weekly newspaper of general circulation, printed and published in the City and County of Montgomery, Alabama, without cost to the State of Alabama, and that the attached notice appeared in the issues of March 22, 29, April 5, and 12 of The Montgomery Independent.

W. T. JOHNSON.

Sworn to and subscribed before me this the 2nd day of May, 1973.

SUSAN WARD JOHNSON,
Notary Public.

My commission expires Feb. 2, 1975.

By Mr. Smith (K):

H. 471. To amend the title, Sections 2 and 3 of Act No. 1793, H. 1968, 1971 Regular Session (1971 Acts, p. 2961), entitled "An Act Relating to counties having a population of not less than 33,550 nor more than 34,000 according to the most recent federal decennial census; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act."

Local Legislation No. 1.

By Messrs. Taylor, Harris, Bank, Owens and Wood:

H. 472. To prohibit any person from placing any badge, emblem or other device so as to cover any portion of the face of a license tag upon a motor vehicle; prescribing the penalties therefor.

Judiciary.

By Mr. Taylor:

H. 473. To amend Section 10 of Act No. 999, H. B. 288, Regular Session 1969, (Acts 1969, v. II, p. 1855), as amended, which act relates to the establishment of the Alabama Peace Officers Annuity and Benefits Fund, so as to provide that once a person is a member of the Alabama Peace Officers Association the fact that he is elected to a public office shall not decrease or interfere with his rights to receive the pension he is entitled to thereunder.

Judiciary.

By Mr. Taylor:

H. 474. Proposing an amendment to the Constitution of Alabama changing the date on which certain elected state officers may assume their respective offices.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Taylor:

H. 475. To amend Act No. 2052, S. 122 of the Regular Session of 1971, the "Mini Code" so as to exempt retail merchants or other retail vendors who do not extend credit on behalf of themselves or their own businesses, but extend credit only on the strength of bank credit cards or other open end credit or charge cards.

Banking.

By Messrs. Taylor, Jones (F) and Harris:

H. 476. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute a waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

Local Legislation No. 4.

By Messrs. Taylor, Jones (F) and Harris:

H. 477. To appropriate the sum of \$267,500 out of the special educational trust fund to be used solely to match federal funds to purchase color equipment for the educational television station in Montgomery.

Ways and Means.

By Messrs. Taylor, Jones (F), Harris and Nettles:

H. 478. To amend Section 80, Title 14, Code of Alabama 1940, which relates to the criminal offense of injuring or defacing public or private buildings.

Judiciary.

By Messrs. Taylor, Stokes, Downing, Carnes, Casey, Lutz, Wood and Perloff:

H. 479. To amend Section 11 of Act No. 2052, S. 122, Regular Session 1971, approved August 26, 1971, which Act regulated finance charges for loans and credit sales and all extensions of credit to consumers by revising the restrictions on garnishment in said Act to conform with federal statutes.

Judiciary.

By Messrs. Taylor, Jones (F), Lutz, Harris, Wood, Brassell, Nettles, Perloff and Smith (P):

H. 480. To provide that whenever a defendant in a criminal case shall enter a written plea of not guilty and or not guilty by reason of insanity at

any time prior to his arraignment, such plea shall constitute a waiver of his right to have an arraignment at which he is present in person or represented by attorney.

Judiciary.

By Mr. Taylor:

H. 481. To amend Title 14, Section 415 of the Code of Alabama 1940, which relates to the punishment of the crime of robbery.

Judiciary.

By Messrs. Taylor, Boutwell, Lutz, Carnes, Harris, Brassell, Nettles, Perloff and Smith (P):

H. 482. To amend the title and Section 1 of Act No. 526, S. 352, 1963 Regular Session, (Acts 1963, v. II, p. 1136), as amended, which provides for and regulates the appointment of counsel for indigent defendants at the expense of the State in certain cases so as to extend the benefits to capital cases as well as non capital cases; and to repeal conflicting laws.

Ways and Means.

By Messrs. Taylor, Harris, Jones (F), Hobbie, Roberts and Smith (P):

H. 483. To provide that all state employees shall be paid for all accumulated sick and annual leave upon the termination of their state employment; and to provide for the payment for such accumulated leave out of funds appropriated for any purpose.

Ways and Means.

By Messrs. Taylor and Jones (F):

H. 484. To provide for the incarceration in another state of an employee of the Board of Corrections who is sentenced to prison in Alabama.

Public Welfare.

By Messrs. Hobbie, Turner, Ellis, Easters, Cauthen, Barkett, Taylor, Callahan, Jones (F), Naramore, Collins, Hill, Culver, Bank, Waggoner, Crowe, Smith (P) and Robertson:

H. 485. To amend Section 458, Title 55, 1940 Code of Alabama, as amended, to permit a retired State Policeman to accept employment within any Department or Agency of the state government of Alabama without being required to become or remain a member of the state retirement system as a condition of their employment, or be denied retirement benefits otherwise earned as a state policeman during such term of employment in a classified position other than state policeman.

Ways and Means.

By Messrs. Hobbie, Callahan, Jones (F), Naramore, Culver, Crowe, Robertson, Smith (P) and Collins:

H. 486. To exempt from the state income tax all money deducted from the salary or wages of federal or state employees and state teachers and paid into an official retirement system.

Ways and Means.

REGULAR SESSION
2nd Day

219

By Messrs. Hobbie, Callahan, Jones (F), Naramore, Hill, Culver, Waggoner, Crowe, Robertson, Smith (P) and Collins:

H. 487. To provide that all contracts for dancing, beauty, health, exercise and reducing services must contain certain provisions and may be cancelled by either party at any time during the life of such contract without any penalty or acceleration of payment; providing penalties for violating provisions of this act.

Business and Labor.

By Messrs. Hobbie, Ellis, Easters, Barkett, Timmons, Taylor, Callahan, Jones (F), Adwell, Naramore, Collins, Hill, Culver, Bank, Waggoner, Crowe, Smith (P) and Robertson:

H. 488. To require the granting of either compensatory leave or over-time pay to all State, county and municipal law enforcement officers.

Ways and Means.

By Mr. Barkett:

H. 489. To provide that a creditor is entitled to recover of a debtor a reasonable fee for the services of an attorney or attorneys of the creditor under certain circumstances.

Judiciary.

By Messrs. Hobbie, Turner, Wallace, Ellis, Easters, Barkett, Timmons, Callahan, Jones (F), Adwell, Naramore, Culver, Bank, Waggoner, Crowe, Smith (P) and Collins:

H. 490. To require the posting of a surety bond by any plaintiff bringing civil action against a law enforcement officer for alleged wrongs committed in the line and scope of the law enforcement officer's official duties, said bond to be conditioned on the payment to the law enforcement officer of his costs of investigation and legal fees for defending such action should he prevail in the action; specifically granting law enforcement officers a cause of action to recover such costs.

Judiciary.

By Messrs. Hobbie, Turner, Ellis, Wallace, Easters, Barkett, Timmons, Callahan, Jones (F), Adwell, Naramore, Collins, Hill, Culver, Bank; Waggoner, Crowe, Smith (P) and Robertson:

H. 491. To make it a felony to use any firearm or knife to commit any crime under the laws of this state; to prescribe the punishment therefor; and to provide that such crime and punishment is in addition to the crime committed by the use of any firearm or knife and the punishment prescribed for such crime.

Judiciary.

By Messrs. Hobbie, Ellis, Easters, Barkett, Harris, Collins, Timmons, Callahan, Jones (F), Adwell, Naramore, Hill, Culver, Bank, Waggoner, Crowe, Smith (P) and Robertson:

H. 492. To provide certain salary benefits to any eligible state, county or city employee covered under a civil service system under which he was

previously employed who enters the armed services and after discharge returns to his job.

Ways and Means.

By Messrs. Perloff, Carnes, Taylor, Doss, Lutz, Harris, Nettles, Stokes, Boutwell and Cauthen:

H. 493. To provide for the recovery of possession of personal property.

Judiciary.

By Mr. Perloff:

H. 494. To prohibit the unauthorized copying of certain recorded articles which articles are for sale, and the sale of such copies with knowledge that the sounds upon such copy have been transferred thereon without consent of the owner; and to provide penalties therefor.

Judiciary.

By Messrs. Perloff, Therrell, Robertson, Wood, Carnes and Stubbs:

H. 495. To require that employers in this state shall pay wages to all discharged or resigned laborers or other employees within twenty-four hours of termination of employment; and creating a cause of action for any such discharged or resigned employee whose employer fails to comply with the above mentioned requirements, and providing for payment of penalty wages by an employer who violates the requirements of this act.

Business and Labor.

By Mr. Perloff:

H. 496. Providing for the admissibility of an itemized affidavit in suits to recover personal property in detinue actions and further providing for a sworn denial for the values contained in the itemized affidavit.

Judiciary.

By Mr. Perloff:

H. 497. To amend the Code of Alabama (1940), Title 7, Section 1000, to provide for presumption of notice of garnishment to defendant, when he fails to appear within thirty days from the date garnishment has been served on garnishee.

Judiciary.

By Messrs. Carnes, Waldrop and Wynot:

H. 498. To supplement the Solicitor's (District Attorney's) Fund in counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; to provide for the appropriation of moneys to said fund from Solicitor's fees taxed and collected in all criminal cases in both circuit and county courts within said counties; and to authorize expenditures of said fund by the Circuit Solicitor (District Attorney) for law enforcement and the discharge of the duties of this office.

Local Legislation No. 1.

By Messrs. McCluskey and Smith (P) :

H. 499. To amend Sections 3, 5, 6, 8, 18, 21, 31, 37 and 39 of Act 663, Senate 132, Acts of Alabama 1961, enacted at the 1961 Regular Session of the Legislature of Alabama, as amended, which said act is to provide for and regulate general and special elections in the cities and towns of this state, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections; and to require ninety day prior residency of candidates; and to authorize establishment of voting centers.

Local Government.

By Messrs. McCluskey and Smith (P) :

H. 500. To amend Sections 4, 6, 7, 9, 19, 22, 32, 38 and 40 of Act 664, Senate 133, Acts of Alabama 1961, enacted at the 1961 Regular Session of the Legislature of Alabama, as amended, which said act is to provide for and regulate elections in cities and towns of 300,000 population or less which have a commission form of government; designating the date for regular elections and authorizing the Board of Commissioners to call special elections; prescribing the manner of giving notice of municipal elections, of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections; and to require ninety days prior residency of candidates; and to authorize establishment of voting centers.

Local Government.

By McCluskey and Smith (P) :

H. 501. To amend Section 403, Title 37, Code of Alabama 1940, so as to require electors standing for election as municipal officers to have been a resident of the municipality for a period of not less than ninety (90) days prior to the date of the municipal election in which they seek election.

Local Government.

By McCluskey and Smith (P) :

H. 502. To amend Sections 69 & 102, Title 37, Code of Alabama 1940, so as to require electors standing for election as commissioner to have been a resident of the municipality for a period of at least ninety days prior to the date of the municipal election in which they seek election.

Local Government.

By McCluskey and Smith (P) :

H. 503. To amend Sections 1, 6, & 9 of Act No. 217, Senate 23, page 259, Volume 1, Acts of Alabama 1967, enacted at the 1967 Special Session of the Legislature of Alabama, as amended, relating to competitive bidding and the expenditure of public funds.

Commerce and Transportation.

By Messrs. McCluskey and Smith (P) :

H. 504. To further amend Act No. 493, House 765, page 952, Volume 2, Acts of Alabama 1969, enacted at the 1969 Regular Session of the Legislature of Alabama, and as said act was amended by Act No. 2338, Senate 1071, page 3771, Volume 5, Acts of Alabama 1971, enacted at the 1971 Regular Session of the Legislature of Alabama, so as to provide for the repair or lease of heavy duty off-highway construction equipment, including machinery used for grading, drainage, road construction and compaction for exclusive use of county and municipal, highway, street and sanitation departments by the county boards of revenue, or other similar county governing bodies, the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, relative to exemption from competitive bidding in the expenditure of public funds, by amending the aforesaid acts by striking the sum of one thousand five hundred dollars (\$1500.00) and inserting, in lieu thereof, the sum of two thousand five hundred dollars (\$2500.00).

Commerce and Transportation.

By Messrs. McCluskey and Smith (P) :

H. 505. To amend Section 1 of Act 2228, Regular Session of the Alabama Legislature, Volume 5, page 3585, Acts of Alabama 1971, which act provides additional alternative procedures whereby incorporated municipalities with populations of 2,000 or more may alter their corporate limits, so as to provide procedure for altering the corporate boundaries of such incorporated municipalities in the event one or more such incorporated municipalities have overlapping police jurisdictions.

Local Government.

By Mr. McCluskey:

H. 506. To provide an additional alternative procedure whereby incorporated municipalities may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory upon petition of a fixed percentage of the landowners of the area sought to be annexed.

Local Government.

By Mr. McCluskey:

H. 507. To amend Section 32 of Act 100, H. 94, Acts of Alabama 1959, Volume 1, page 298, so as to change the phrase "old age assistance exclusively" to "general welfare purposes," and to distribute from the sales tax a sufficient sum for the Department of Pensions and Security to administer the Food Stamp Act of 1964, Public Law 88-525, 88th Congress, and amendments enacted thereto.

Ways and Means.

By Mr. McCluskey:

H. 508. To require the State Department of Pensions and Security to administer the Food Stamp Act of 1964, Public Law 88-525, 88th Congress from funds appropriated to such Department for that purpose from the sales tax receipts; and to provide an effective date conditioned upon passage of an Act amending the distribution of the sales tax, Section 32, Act 100, Acts of Alabama, 1959, Page 298.

Ways and Means.

By Messrs. McCluskey and Smith (P):

H. 509. Relating to cities having a population of not less than 2,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Commerce and Transportation.

By Messrs. McCluskey and Smith (P):

H. 510. To authorize the governing body of any county or the governing body of any municipality within the county to establish within the county or within the municipality ambulance service on a non-profit basis; to authorize the county to unite with any municipality within the county or two or more municipalities within the county, to unite with each other or together with the county, in the establishment of such ambulance service, making such service common for the use of the county or participating municipality or municipalities, and to permit the providing of such service by contract or otherwise; to authorize appropriations of public funds for such service by the county or any municipality; to authorize the charging of fees for such ambulance service; and to exempt such county and any municipality from tort liability while operating ambulances or providing ambulance service as authorized herein.

Commerce and Transportation.

By Messrs. McCluskey and Smith (P):

H. 511. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Local Government.

By Messrs. McCluskey and Smith (P) :

H. 512. To validate in certain cases municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Local Government.

By Messrs. McCluskey and Smith (P) :

H. 513. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Local Government.

By Messrs. McCluskey and Smith (P) :

H. 514. To amend Section 587 of Title 37, Code of Alabama 1940, as amended, relating to appeals from Recorder's Court.

Judiciary.

By Messrs. McCluskey and Smith (P) :

H. 515. To authorize and empower recorders of municipalities of less than 250,000, according to the last or any subsequent federal census; to suspend sentence and grant probation to persons convicted of violating municipal ordinances; to authorize investigations; to authorize imposition of terms and conditions of probation; to authorize revocation of probation and re-arrest of defendants; and to provide for the discharge of persons complying with the terms and conditions of probation; to require recorders to file monthly reports with the governing body; and to preserve the pardon and parole power of the mayor.

Judiciary.

By Messrs. Mims, Downing and Barkett:

H. 516. To increase certain fees prescribed for the Secretary of State to be charged for services performed in connection with service of process in certain cases, and for such purpose to amend further Code of Alabama 1940, Title 7, Sections 192, 193 and 199, as amended; Act No. 415, S. 280, Regular Session 1959 (Acts 1959, p. 1102), as amended; Act No. 128, S. 120, Regular Session 1949 (Acts 1949, p. 154), as amended; and Act No. 1936, H. 256, Regular Session 1971 (Acts 1971, p. 1325), all relating to such fees.

Ways and Means.

By Messrs. Mims, Lang, Adams, Downing and Barkett:

H. 517. Relating to the uniform commercial code, amending Sections 9-403 through 9-407, inclusive, of Act No. 549, S. 2, Regular Session 1965 (Acts 1965, p. 811), respecting the filing of secured transactions, so as to increase the fees to be paid the filing officer for the performance of certain duties.

Judiciary.

By Messrs. Mims, Downing and Barkett:

H. 518. To amend further Sections 13 and 21 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055), known as the Alabama Business

REGULAR SESSION
2nd Day

225

Corporation Act, as heretofore amended, so as to increase the fees for filing certain statements of incorporation and amendments thereto.

Ways and Means.

By Mr. Taylor:

H. 519. To provide for the relief of Pake-Dyess, Inc. and appropriate the sum of \$18,899.50 from any funds in the State Treasury to the credit of the minimum program fund therefor.

Ways and Means.

By Messrs. Taylor and Jones (F):

H. 520. Relating to taxation of public utilities; repealing Act No. 21, H. 28, Special Session 1969 (Acts 1969-1970, p. 46), as amended, which act levies a privilege or license tax against certain persons and utilities on account of the furnishing of certain utility services, and repealing Act No. 37, H. 175, Special Session 1969 (Acts 1969-1970, p. 88), as amended, which act levies an excise tax on account of the use, storage or consumption in the State of Alabama of certain utility services.

Ways and Means.

By Messrs. Bank, Culver, Doss and Falkenburg:

H. 521. Relating to public health; requiring food handlers to have health certificates, prohibiting the employment of persons having infectious or contagious diseases as food handlers; requiring county health officers in each county to administer this act, and granting certain authority to county boards of health; prescribing penalties for violations.

Health.

By Messrs. Bank, Culver, Parker and Robertson:

H. 522. Relating to counties having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census; to provide that patients at institutions for the insane and mentally retarded and patients at veterans' hospitals shall have free use of all public fishing lakes and public recreational facilities in such counties.

Local Legislation No. 1.

By Messrs. Hobbie, Turner, Ellis, Easters, Carnes, Barkett, Harris, Collins, Timmons, Callahan, Jones (F), Adwell, Naramore, Smith (P), Hill, Culver, Robertson, Bank, Waggoner and Crowe:

H. 523. To regulate the solicitation of advertisement by any person, firm, corporation, State or Federal Peace Officers Association for any Peace Officers Magazine or Journal; to provide penalties for violation of this Act.

Judiciary.

By Messrs. Merrill, Burgess and Stewart:

H. 524. To amend further the City Manager Act of 1953, Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits any city in the State of Alabama having a population of more

than thirty thousand and not exceeding thirty-three thousand according to the most recent federal decennial census, to adopt the council-manager form of municipal government.

Local Legislation No. 1.

By Messrs. Turner and Cottingham:

H. 525. Relating to counties having a population of not less than 54,500 nor more than 56,000 inhabitants according to the most recent federal decennial census; to authorize the county and any city governing bodies within such counties to establish a historic development commission and to adopt ordinances and regulations to protect historic architectural character and preserve the general historic character of the county and cities therein by allowing the designation of historic districts, areas and sites and adopting other provisions necessary to carry out the purposes of this Act.

Local Legislation No. 1.

By Messrs. Culver, Parker, Waggoner, McBride, Boutwell, Wallace, Erdreich, Timmons, Bank, Jones (F), Downing, Callahan, O'Daniel, Perloff, Ellis, Brassell and Dill:

H. 526. To provide further for the disposition and use of the profits, including all taxes levied upon the selling price of spirituous or vinous liquors and certain taxes on malt and brewed beverages; amending Act No. 255, H. 313 Regular Session of 1943 (General Acts 1943, p. 226) and Act No. 92, H. 101, Second Special Session of 1963 (Acts, Second Special Session 1963, p. 257) and repealing Code of Alabama 1940, Title 29, Sections 10 and 11 and all other laws in conflict herewith.

Judiciary.

By Messrs. Gafford, Doss, Timmons, Adwell, McBride, Waggoner, Boutwell, Jones (E), Dill, Wallace and Ellis:

H. 527. Relating to counties having a population of 500,000 or more inhabitants, according to the most recent federal decennial census; to provide that the poll list actually signed by each voter at any general, special, primary or municipal election held in such counties shall be filed and maintained in the probate office as a public record for one year from the date of said election.

Local Legislation No. 2.

By Messrs. Gafford, Timmons, Falkenburg, McBride, Waggoner, Boutwell, Erdreich, Jones (E), Dill, Wallace, Ellis and Doss:

H. 528. To provide for and regulate special elections to fill vacancies which occur on the governing bodies of counties of this State having populations of 500,000 or more according to the most recent federal decennial census.

Local Legislation No. 2.

By Messrs. Gafford, Doss, Timmons, Adwell, McBride, Waggoner, Boutwell, Jones (E), Erdreich and Dill:

H. 529. To provide that the poll list actually signed by each voter at any general, special, primary or municipal election held in any county shall

be filed and maintained in the probate office as a public record for one year from the date of said election.

Constitution and Elections.

RESOLUTIONS

The following resolutions were introduced:

By Mr. McCorquodale:

H. J. R. 31. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, May 22, 1973.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 31, was adopted.

Also:

By Messrs. Robertson, Culver, Parker, Downing, Adams, Adwell, Agee, Bank, Barkett, Bassett, Benton, Boles, Boutwell, Bowers, Brassell, Burgess, Callahan, Carnes, Carter, Casey, Cauthen, Chesnut, Collins, Connell, Coshatt, Cottingham, Crawford, Cross, Crowe, Dill, Doss, Drake, Easters, Edwards, Ellis, Erdreich, Falkenburg, Fite, Flippo, Gafford, Goodwin, Grainger, Gray (F), Grey (D), Hale, Hardin, Harris, Headley, Hearn, Hill, Hobbie, Jackson, Jones (E), Jones (F), King, Kinsey, Lang, Lutz, Lyons, McBride, McCluskey, McCorquodale, McDonald, Manley, Mathews, May, Meeks, Merrill, Mims, Naramore, Nettles, O'Daniel, Owens, Perloff, Pruitt, Reed (T), Reid (R), Reynolds, Roberts, St. John, Slate, Smith (K), Smith (P), Snell, Stewart, Stokes, Stubbs, Taylor, Therrell, Timmons, Turner, Turnham, Waggoner, Waldrop, Wallace, Warren, Weeks, Williams, Wise, Wood and Wynot.

H. J. R. 32. MOURNING THE DEATH OF SAMUEL H. BANK, FATHER OF OUR BELOVED COLLEAGUE, REPRESENTATIVE BERT BANK.

WHEREAS Samuel H. Bank, age 87, of Tuscaloosa, Alabama passed away Sunday after a long and useful life. Mr. Bank is the father of our beloved colleague, Representative Bert Bank; and

WHEREAS Samuel H. Bank was a native of Russia who came to the United States in 1904 and gave much more to his adopted country than he received. He used his uncommon zeal and keen mind to become an honored and highly successful business leader. In 1916 he became a merchant at Searles, Alabama; in 1926 he opened a restaurant in Tuscaloosa, Alabama and for 29 years before his retirement in 1966 he operated the Army Surplus Store in Tuscaloosa, Alabama. Such wide range of business success truly reflects a highly skilled and adaptable business sense and talent; and

WHEREAS Mr. Bank was a prominent and influential leader in the civic and religious life of Tuscaloosa. He was an active member of Temple Emanu-El and was a 50 year member of both the Masons and the Shriners. His enthusiasm for his work, his devoted services to his community, his wit and personal charm endeared him to all who knew him; and

WHEREAS he was a solid example of the American dream, which is, that should one have principal, perseverance and take advantage of his oppor-

2nd Day

tunities, success will surely follow. Mr. Bank was a true Southern gentleman who was of a kindly disposition and devoted his life to the betterment of mankind and who left his adopted state and country better than he found it; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body pays tribute to the memory of Samuel H. Bank, prominent Tuscaloosa civic and business leader, as a representative of that large body of men who came to this country and realized the American dream and in the end became a part of and made this the great country that it is today. His contributions and good deeds went far beyond the call of duty.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to his two sons, Representative Bert Bank and Harold Bank and his daughter, Mrs. Lottie Voit, all of Tuscaloosa.

On motion of Mr. Robertson, the rules were suspended and the resolution, H. J. R. 32, was adopted.

Also:

By Mr. Turnham:

H. J. R. 33. URGING THE PLANTING OF FAMILY GARDENS

WHEREAS inflation is rapidly increasing the cost of food every week and the cost of vegetables is especially increasing; and

WHEREAS curbing inflation is one of our foremost goals and is our patriotic duty; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby call upon every family in Alabama to plant a family garden, thereby increasing the supply of fresh vegetables for the benefit of the physical and economic health of the people of Alabama.

On motion of Mr. Turnham, the rules were suspended and the resolution, H. J. R. 33, was adopted.

Also:

By Messrs. Erdreich, Doss, Timmons, Falkenburg, Gafford, Boles, Jones (E), Ellis, Meeks, Adwell, McBride, Boutwell, Dill and Wallace:

H. J. R. 34. This resolution will designate a structure at the University of Alabama in Birmingham as the "William P. Engel Day Treatment Center."

HOUSE JOINT RESOLUTION

WHEREAS, William P. Engel has made major contributions to the State of Alabama through the organization of one of Alabama's largest realty and mortgage loan insurance companies, and during a long and successful career has given of his time and resources to many humanitarian causes, including the University of Alabama Medical Center; and,

WHEREAS, Mr. Engel has been instrumental in establishing the present Psychiatric Day Treatment Center at the University of Alabama in Birmingham; and,

WHEREAS, the Board of Trustees of the University of Alabama has previously authorized the designation of this building as the "William P. Engel Day Treatment Center"; and,

WHEREAS, this Legislature deems it fitting that this facility should bear the name of this outstanding individual,

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the new Psychiatric Day Treatment Center at the University in Birmingham is hereby designated the "William P. Engel Day Treatment Center" in honor of William P. Engel.

BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is hereby directed to send a copy of this resolution to Mr. Engel.

The resolution, H. J. R. 34, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Smith (K):

H. J. R. 35. REQUESTING THE PUBLIC SERVICE COMMISSION AND THE ALABAMA TELEPHONE COMPANY TO PLACE NOTASULGA AND TALLASSEE ON THE SAME TELEPHONE EXCHANGE

WHEREAS the Alabama Telephone Company provides telephone service for the towns of Tallassee and Notasulga; and

WHEREAS the residents of Tallassee and Notasulga, which are separated by less than 15 miles distance, pay long distance telephone rates for service between these two towns; and

WHEREAS the social and business exchange between these towns requires an adequate and economical communication system; and

WHEREAS the residents of Tallassee and Notasulga find long distance service to be excessively inconvenient and expensive; and

WHEREAS the Public Service Commission and the Alabama Telephone Company are empowered with the authority to respond to the growing concern of the citizens of these two communities concerning their requests; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislative body strongly encourages the Public Service Commission and the Alabama Telephone Company to put these two towns on the same telephone exchange.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Public Service Commission and the Alabama Telephone Company, the Mayors of Notasulga and Tallassee and the Chamber of Commerce of said towns.

The Resolution, H. J. R. 35, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Jones (F), Taylor, Harris and Hobbie:

H. J. R. 36. REQUESTING THE ADMINISTRATION TO LOOK INTO THE POSSIBILITY OF HAVING A BUS RUN FROM CRAMTON BOWL PARKING LOT TO THE STATE CAPITOL COMPLEX ON A FREQUENT SCHEDULE TO ALLEVIATE THE PARKING SITUATION.

WHEREAS, the parking problem for state employees has become critical due to the influx of legislators and visitors in connection with the current session of the legislature; and

WHEREAS, this problem might very well be eliminated by the running of a state bus from Cramton Bowl parking lot to the State Capitol Complex on a frequent schedule; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Governor have his finance director or other appropriate state official investigate the feasibility of running a state bus from the Cramton Bowl parking lot to the State Capitol Complex.

BE IT FURTHER RESOLVED, That the Governor take any other actions that would tend to alleviate the parking situation in and about the capitol complex.

BE IT FURTHER RESOLVED, That the Clerk of the House shall deliver copies of this Resolution to the Governor, to the Finance Director and the President of the State Employees Association.

The resolution, H. J. R. 36, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Turnham:

H. J. R. 37. WHEREAS, William Vann Parker has devoted fifty years of his life to higher education, and twenty-two years were spent on the Auburn University faculty, nineteen as Dean of the Graduate School and fifteen as Head of the Department of Mathematics, and

WHEREAS, under Dr. Parker's leadership, Auburn's doctoral program was developed and graduate enrollment increased substantially, including the addition of many areas for master's work and twenty-one fields for doctoral study, and;

WHEREAS, under Dr. Parker's leadership, Auburn's Department of Mathematics achieved national stature, now recognized as one of the strongest departments of mathematics in the Southeast, its graduates teaching and heading departments of mathematics throughout the South, and

WHEREAS, since the early 1940's Dr. Parker has worked with the American Mathematical Society to improve the teaching of mathematics in public schools, and

WHEREAS, Dr. Parker has devoted his service and energies to all facets of life and contributed immeasurably to the advancement of this University,

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Auburn University, and by the Legislature of Alabama, both houses thereof concurring, that in recognition of Dr. Parker's devotion and service to Auburn University, the mathematics building in the Physical Science Center be designated, named, and known as the William Vann Parker Building, and that a copy of this resolution be sent to Dr. Parker and members of his family.

The resolution, H. J. R. 37, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Bank, Robertson, Culver and Parker:

H. J. R. 38. COMMENDING MRS. LUCY JORDAN ON BEING NAMED 1973 ALABAMA MOTHER OF THE YEAR.

WHEREAS, Mrs. Lucy Jordan was the Tuscaloosa County nominee to the Alabama Mothers Awards Conference, and was named 1973 Aabama Mother of the Year; and

WHEREAS, Mrs. Jordan is the mother of two children, Mitzi, a student at the University of Montevallo, and Mike, a University of Alabama student; and

WHEREAS, Mrs. Jordan is a native of Lamar County, a graduate of Lamar County High School, and has been a resident of Tuscaloosa since 1952 being extremely active in community affairs and civic works; and

WHEREAS, Mrs. Jordan, among her many activities, has served on the boards of directors of the YMCA and the United Fund and has been active in drives for the Cancer Fund, and March of Dimes, and has served as chairman for Muscular Dystrophy and Heart Sunday; and

WHEREAS, Mrs. Jordan is presently a member of the boards of directors of the Red Cross, Arts and Humanities Council, Volunteer Services Bureau, a beat committeewoman for the Democratic Party, and is currently employed as director of community relations at Druid City Hospital; and

WHEREAS, Mrs. Jordan is an avid supporter of youth activities and has worked with Girl's State, Girl's Nation, Rainbow Girls, the Miss Tuscaloosa pageant, and the Tombigbee Girl Scout Council; and

WHEREAS, Mrs. Jordan is a member of the Central Church of Christ and, with her husband, served as zone leader, directing the church's community service activities; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily commend Mrs. Lucy Jordan upon being named 1973 Alabama Mother of the Year.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Lucy Jordan and her family.

2nd Day

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 38, on the Clerk's desk for one legislative day.

Also:

By Mr. Bank:

H. J. R. 39. COMMENDING THE TASK FORCES THAT WORKED UNDER THE ALABAMA HEALTH STUDY COMMISSION.

WHEREAS there were 125 people involved in working on the task forces that served under the Alabama Health Study Commission which was created by resolution of this Legislature; and

WHEREAS the people who served on these task forces were all volunteers, representing physicians, allied health personnel, legislators and consumers; and

WHEREAS these persons donated more than 2,800 man hours to their labors from June 1972 through February 1973; and

WHEREAS their work has been exceptional and outstanding and has greatly aided the Alabama Health Study Commission in its assigned duties; and

WHEREAS there were task forces on:

Emergency Medical Services

Tuberculosis

Health Manpower

Licensure of Health Professionals

Consumer Health Education

Cost of Medical Care

Mental Health

Task Force Regarding the Health and

Health Services of Alabama Children;

now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature does heartily thank each of the individual members of the above named task forces serving the Alabama Health Study Commission for their unselfish and excellent service on these task forces and for their great contribution to health service in Alabama and to their fellowman.

BE IT FURTHER RESOLVED That the Clerk of the House make sufficient copies of this resolution available for distribution to the members of the task forces under the Alabama Health Study Commission.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 39, on the Clerk's desk for one legislative day.

Also:

By Messrs. Reynolds, Goodwin, Fite, Cross, Hill and Flippo:

H. J. R. 40. MOURNING THE DEATH OF E. P. COBURN, FORMER LEGISLATOR FROM COLBERT COUNTY.

REGULAR SESSION
2nd Day

233

WHEREAS the Honorable E. P. Coburn, 77, passed away at a Tusculum nursing home this past Sunday; and

WHEREAS the Honorable E. P. Coburn served in the House of Representatives of this Legislature from 1942 through 1954 and was known to the members of the Legislature as "Mr. North Alabama"; and

WHEREAS Mr. Coburn served his fellow citizens of Colbert County as a county commissioner from 1932 through 1940; and

WHEREAS Mr. Coburn was the first president of the Natchez Trace Historical Society; was a veteran of World War I and a member of the American Legion; and

WHEREAS Mr. Coburn will be greatly missed by his fellow citizens of this State; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do pass this resolution as a memorial honoring Mr. E. P. Coburn for his outstanding services to this State and his fellow citizens.

BE IT FURTHER RESOLVED That the Clerk of the House send copies of this resolution to his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 40, on the Clerk's desk for one legislative day.

Also:

By Messrs. Waldrop, Carnes and Wynot:

H. J. R. 41. WHEREAS, the Emma Sansom High School baseball team of Gadsden, Alabama, is known for its prowess in baseball statewide having won the state championship in 1957 for all schools and the 3-A, 4-A State of Alabama High School Baseball Championship in 1970, and

WHEREAS, the Emma Sansom High School baseball team won the 4-A State of Alabama High School Baseball Championship for 1973 with a record of 17-1, beating Auburn High School in the finals 12 to 7, and

WHEREAS, Coach Gary Muskett and the Emma Sansom baseball team have brought great credit to Emma Sansom High School, Alabama City, Gadsden, and Etowah County,

NOW THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both Houses thereof concurring, that the said Emma Sansom High School baseball team be commended for winning the 1973 State of Alabama 4-A Championship, and the said Coach Gary Muskett and the Emma Sansom High School baseball team be commended for the great credit they have brought to Emma Sansom High School, Alabama City, Gadsden, and Etowah County.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Emma Sansom High School baseball team; Coach Gary Muskett and his coaching staff; to each member of the 1973 baseball team; Rip Reagan, Principal of Emma Sansom High School; Emma Sansom "S" Club; Emma Sansom Alumni "S" Club; Lesley Gilliland, Mayor, City of Gadsden; Dr. Mort Glosser, Superintendent of Gadsden City Schools; Harry Sizemore, Chairman

of the Etowah County Commission; and the news media of Etowah County —WGAD, WAAX, WJBY, WLJM, Gadsden Times, and the Etowah News Journal.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 41, on the Clerk's desk for one legislative day.

Also:

By Messrs. Mims and Warren:

H. J. R. 42. COMMENDING WILLIAM STEWART ON BEING NAMED THE "ALUMNUS OF THE YEAR" BY THE UNIVERSITY OF ALABAMA JOURNALISM DEPARTMENT.

WHEREAS William Stewart has been named "Alumnus of the Year" by the University of Alabama Journalism Department as a highlight to traditional activities on Journalism Day at the University of Alabama, and

WHEREAS William Stewart was cited for publishing one of the most respected weeklies in the state and for his devotion to journalism education at the University of Alabama, and

WHEREAS William Stewart is the publisher of The Monroe Journal, a position that he has held since 1947, contributing greatly over the years to the success and prestige of that paper, and

WHEREAS William Stewart has held office in the Alabama Press Association since 1957, having rendered distinguished service to that organization as President and a member of the Board of Directors, and

WHEREAS William Stewart is an active member of Sigma Delta Chi, professional journalism society, and

WHEREAS William Stewart has contributed greatly to all aspects of his community life, not only as a person but also through his editorials in The Monroe Journal,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That William Stewart be heartily commended and congratulated upon being named "Alumnus of the Year" by the University of Alabama Department of Journalism.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to William Stewart, to The Monroe Journal, and to the University of Alabama Department of Journalism.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 42, on the Clerk's desk for one legislative day.

Also:

By Messrs. Mims and Warren:

H. J. R. 43. HONORING N. S. "NICK" HARE FOR HIS PIONEER WORK ON THE NEW ALABAMA RULES OF CIVIL PROCEDURE AND IN THE FIELD OF JUDICIAL REFORM.

WHEREAS, N. S. "Nick" Hare is one of the leading attorneys and outstanding citizens of Monroe County and is a former member of this Legislature; and

WHEREAS, Mr. Hare comes from a family that has a long history of dedicated service to the legal profession and their fellowman; his father, the Honorable F. W. Hare, having been an attorney and one of the outstanding circuit judges of South Alabama, serving the counties of Monroe, Conecuh, Escambia and Baldwin as their circuit judge; and his maternal grandfather, Nicholas Stallworth, having been the Judge of Probate of Monroe County; and

WHEREAS, N. S. "Nick" Hare did, while he was a member of this Legislature, introduce and secure the passage of Act No. 145, H. J. R. 35, page 390, Acts of Alabama 1955, which provided for the establishment of the Judiciary Advisory Council and the Commission for Judicial Reform; and

WHEREAS, Mr. Hare, as chairman, and the other members of the Legislature serving with him on the Judiciary Advisory Council were able to secure the services of some of the leading judges, attorneys and law professors in this state to serve on the Commission for Judicial Reform and to secure many other outstanding members of the bench and bar of this State who donated their talents and services to the Commission and to the Council; and

WHEREAS, after much diligent and difficult, but fruitful, labor the Commission and Council did bring forth a complete and final draft of new proposed, "Alabama Rules of Civil Procedure," based on the federal rules of civil procedure which were submitted in 1957 to the Legislature for its consideration; and

WHEREAS, the Legislature did not adopt these rules at that time, nevertheless, this labor and hard work was not wasted as they served as the basis of the "Alabama Rules of Civil Procedure" recently adopted by the Alabama Supreme Court to go into effect on July 3, 1973; and

WHEREAS, the Legislature wishes to honor and recognize the Honorable Nicholas Stallworth Hare for his outstanding pioneer work on these new "Alabama Rules of Civil Procedure" and his other endeavors of the field of judicial reform and public service; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Honorable Nicholas Stallworth Hare is thanked by this Legislature on behalf of the people of this State for having devoted unselfishly of his time, energy and talent to his fellowman and his chosen profession and for his outstanding and effective pioneer work on the "Alabama Rules of Civil Procedure" and his other endeavors in the field of judicial reform.

BE IT FURTHER RESOLVED BY THIS LEGISLATURE That the Clerk of the House send Mr. Hare a copy of this Resolution as a memento of their esteem and the gratitude of the people of this State.

The resolution, H. J. R. 43, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Robertson, Lyons, Culver, Bank and Parker:

H. J. R. 44. COMMENDING PROFESSOR HENRY MOORE FOR HIS CONTRIBUTION TO THE REAPPORTIONMENT PROJECT COMMITTEE.

WHEREAS, Professor Henry Moore, who is Professor Emeritus of Economics at the University of Alabama and former director of the Center for Business and Economic Research at the University of Alabama, has honorably and diligently served this Legislature in preparing the reapportionment plan; and

WHEREAS, Professor Moore and his close associates Don James and Rex McDowell graciously accepted the tremendous task requested by the Joint Legislative Committee on Reapportionment; and

WHEREAS, Professor Moore and his associates have worked untiringly with Representative Hugh D. Merrill and the late Representative Ben Cherner since April of 1972 on drawing the reapportionment plan; and

WHEREAS, Professor Moore gave not only his efforts, but also graciously accommodated this legislative task force on reapportionment with all available facilities of the Center for Business and Economic Research at the University of Alabama; and

WHEREAS, Professor Moore exhibited a most courteous and helpful manner to the members of the Legislature, tempered with a firm and proficient ability to adhere to the strict requirements set forth by the Joint Legislative Committee on Reapportionment; and

WHEREAS, This legislative body owes this man a tremendous debt of gratitude for his graciousness, ability, and dedication in drawing this reapportionment plan on behalf of this body; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend our sincere gratitude and appreciation to Professor Moore upon his tremendous contributions in preparing the reapportionment plan for this Legislature and this State.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Professor Moore, Rex McDowell and Don James.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 44, on the Clerk's desk for one legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 9. TO CREATE COMMITTEE TO DRAFT BILL AFFECTING CLERICAL STAFF OF LEGISLATURE AND RELATED MATTERS.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the

REGULAR SESSION
3rd Day

237

Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

H. 318 RE-REFERRED

On motion of Mr. Stubbs, the bill, H. 318, was re-referred from the Standing Committee on Public Welfare to the Standing Committee on Business and Labor.

ADJOURNMENT

On motion of Mr. Robertson, the House adjourned until 4:00 o'clock p.m., Tuesday, May 22, 1973.

THIRD DAY

House of Representatives
Montgomery, Alabama
Tuesday, May 22, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend J. R. White, Jr., Assistant Pastor, First Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Collins	Gafford	McBride
Adams	Connell	Goodwin	McCluskey
Adwell	Coshatt	Grainger	McCorquodale
Agee	Cottingham	Gray (F)	McDonald
Bank	Crawford	Grey (D)	Manley
Barkett	Cross	Hale	Mathews
Bassett	Crowe	Hardin	May
Benton	Culver	Harris	Meeks
Boles	Dill	Headley	Merrill
Boutwell	Doss	Hearn	Mims
Bowers	Downing	Hill	Naramore
Brassell	Drake	Hobbie	Nettles
Burgess	Easters	Jackson	O'Daniel
Callahan	Edwards	Jones (E)	Owens
Carnes	Ellis	Jones (F)	Parker
Carter	Erdreich	King	Perloff
Casey	Falkenburg	Kinsey	Pruitt
Cauthen	Fite	Lang	Reed (T)
Chesnut	Flippo	Lutz	Reid (R)

Reynolds	Snell	Timmons	Warren
Roberts	Stewart	Turner	Weeks
Robertson	Stokes	Turnham	Williams
St. John	Stubbs	Waggoner	Wise
Slate	Taylor	Waldrop	Wood
Smith (K)	Therrell	Wallace	Wynot
Smith (P)			

—101

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

TOM DRAKE,
CHAIRMAN.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 413. To regulate further the number, manner of appointment, compensation, duties and term of service of certain legislative subordinate officers and employees, and for such purpose to amend Code of Alabama 1940, Title 32, Section 22, and to amend further Sections 13, 18, 19, 20, 24, 25 and 26 of said title, as heretofore amended; and providing retroactive effect.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 9. To repeal Act No. 2154, H. 2721, Regular Session 1971, approved October 1, 1971, entitled "An Act relating to Conecuh County; authorizing the board of education to retire teachers who have attained the age of sixty-five."

H. 123. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Taylor, Houston County, Alabama.

H. 170. To amend Sections 4 and 5 of Act No. 196, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of the said 20th Judicial Circuit, Place No. 2; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the

payment of the salary of the said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1969, Volume 1, Page 259).

H. 171. To further amend Sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume 1, Page 735, and as amended by Act No. 199 of the Acts of the Legislature of Alabama, 1967, Volume 1, Page 564).

H. 172. To further amend Sections 4 and 5 of Act No. 201, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Solicitor of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1963, Volume 1, Page 599, and as amended by Act No. 197 of the Acts of the Legislature of Alabama, 1969, Volume 1, Page 260).

H. 380. To limit the use of public road and bridge funds of DeKalb County.

H. 384. To permit banks now or hereafter situated in Bibb County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

H. 415. To provide for branch banks or branch offices of banks in Henry County.

H. 451. To authorize the governing bodies of counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census to make expenditures from the general funds of such counties to purchase judicial robes.

H. 453. To set a monthly expense allowance for members of city boards of education of municipalities located in counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census.

H. 454. To alter, rearrange and extend the boundaries of the City of Gadsden, so as to include within the corporate limits thereof certain property consisting of a part of Section 15, Township 12 South, Range 6 East, and including all or portions of the NE¼, Fraction "A" and Fraction "B", north and south of the Cherokee Indian Boundary Line, and including all of those properties of Gadsden State Junior College and the Alabama School of Trades not now within the corporate limits of the City of Gadsden, as well as those portions of the Coosa River and adjacent areas below 511.0 elevation.

H. 498. To supplement the Solicitor's (District Attorney's) Fund in counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; to provide for the ap-

appropriation of moneys to said fund from Solicitor's fees taxed and collected in all criminal cases in both circuit and county courts within said counties; and to authorize expenditures of said fund by the Circuit Solicitor (District Attorney) for law enforcement and the discharge of the duties of this office.

H. 525. Relating to counties having a population of not less than 54,500 nor more than 56,000 inhabitants according to the most recent federal decennial census; to authorize the county and any city governing bodies within such counties to establish a historic development commission and to adopt ordinances and regulations to protect historic architectural character and preserve the general historic character of the county and cities therein by allowing the designation of historic districts, areas and sites and adopting other provisions necessary to carry out the purposes of this Act.

H. 219. Relating to counties having a population of not less than 30,000 nor more than 33,575 inhabitants according to the most recent federal decennial census, so as to further provide for the compensation of the superintendent of education of such counties.

H. 446. Relating to Marion County; to further regulate branch banking in such county.

H. 455. Relating to Marion County: To provide for an additional expense allowance for each member of the Marion County Commission.

H. 456. To provide further for the compensation of the deputy district attorney for Marion County.

H. 458. Relating to Marion County; to provide for the monthly salary and expense allowance of the chief deputy sheriff and all additional deputy sheriffs in said county; repealing conflicting legislation.

H. 459. To make an appropriation from the Marion County treasury for the relief of Olen Gann.

H. 460. To further amend Section 5 of Act No. 82, H. 250, Regular Session 1935, approved June 3, 1935 (Local Acts 1935, p. 18), as last amended, an act relating to the County Superintendent of Education of Marion County so as to provide further for the salary of such superintendent.

H. 461. To authorize any bank situated in an incorporated municipality in Marion County, Alabama to establish, operate and maintain branch banks or additional offices or places of business within said incorporated municipality.

H. 462. To authorize any municipality in Marion County to operate a public ambulance service and to use any civil defense ambulance or other civil defense equipment they have in their possession for such public ambulance service purposes.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment and it was read a second time and placed on the Calendar, to-wit:

H. 433. (With Amendment) To amend Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 Et Seq.), Entitled: "AN ACT Relating to all counties having populations of not less than 300,000 nor more than

600,000 according to the most recent decennial census; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers and duties of the commission; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county", so as to delete from Section 1 and Section 10(c) references therein to the county of Mobile; to provide for the term during which the members of said Racing Commission shall hold office; to change the method of appointing the members of said Racing Commission; to add a new provision to provide for the severability of the parts, sections and provisions of said Act; and to amend the title of said Act.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Gray (F) (With Notice and Proof):

H. 530. To authorize and direct the tax assessor of Barbour County, beginning October 1, 1973, to assess ad valorem taxes on real and personal property in Barbour County pursuant to and in accordance with the provisions of Act No. 344, S. 10, Regular Session 1951 (Acts 1951, p. 632) as last amended, which provides in part for automatic assessment of real property to the party last assessing the same or to the owner of record where there has been no change on the assessment for the current tax year over the preceding tax year either in ownership or of description or of assessed value.

Ways and Means.

Notice and Proof H. 530:

NOTICE OF PROPOSED BILL

STATE OF ALABAMA COUNTY OF BARBOUR

Notice is hereby given that a Bill substantially as follows will be introduced by State Representative Fred D. Gray of Tuskegee in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENACTED TO BE ENTITLED AN ACT

To authorize and direct the tax assessor of Barbour County, beginning October 1, 1973, to assess ad valorem taxes on real and personal property in Barbour County pursuant to and in accordance with the provisions of Act No. 344, S 10, Regular Session 1951 (Acts 1951, p. 632) as last amended,

which provides in part for automatic assessment of real property to the party last assessing the same or to the owner of record where there has been no change on the assessment for the current tax year over the preceding tax year either in ownership or of description or of assessed value.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax assessor of Barbour County is authorized and directed, beginning October 1, 1973, and annually thereafter to assess ad valorem taxes on real and personal property in Barbour County pursuant to and in accordance with the provisions of Act No. 344, S. 10, Regular Session 1951 (Acts 1951, p. 632) as last amended, which provides in part for automatic assessment of real property to the party last assessing the same or to the owner of record where there has been no change on such assessment for the current tax year over the preceding tax year either in ownership or description or of assessed value.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bertie G. Parish, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor and Publisher of the Clayton Record, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 29, April 5, April 12, and April 19, all in the year 1973.

BERTIE G. PARISH.

Sworn to and subscribed before me May 23rd, 1973.

MILTON CAMPBELL,
Notary Public.

By Mr. Gray (F) (with notice and proof):

H. 531. To authorize and direct the tax assessor of Bullock County, beginning October 1, 1973, to assess ad valorem taxes on real and personal property in Bullock County pursuant to and in accordance with the provisions of Act No. 344, S. 10, Regular Session 1951 (Acts 1951, p. 632) as last amended, which provides in part for automatic assessment of real property to the party last assessing the same or to the owner of record where there has been no change on the assessment for the current tax year over the preceding tax year either in ownership or of description or of assessed value.

Ways and Means.

Notice and Proof H. 531:

LEGAL

STATE OF ALABAMA
COUNTY OF BULLOCK

Notice is hereby given that a Bill substantially as follows will be introduced by State Representative Fred D. Gray in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize and direct the tax assessor of Bullock County, beginning October 1, 1973, to assess ad valorem taxes on real and personal property in Bullock County pursuant to and in accordance with the provisions of Act No. 344, S. 10, Regular Session 1951 (Acts 1951, p. 632) as last amended, which provides in part for automatic assessment of real property to the party last assessing the same or to the owner of record where there has been no change on the assessment for the current tax year over the preceding tax year either in ownership or of description or of assessed value.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax assessor of Bullock County is authorized and directed, beginning October 1, 1973, and annually thereafter to assess ad valorem taxes on real and personal property in Bullock County pursuant to and in accordance with the provisions of Act No. 344, S. 10, Regular Session 1951 (Acts 1951, p. 632) as last amended, which provides in part for automatic assessment of real property to the party last assessing the same or to the owner of record where there has been no change on such assessment for the current tax year over the preceding tax year either in ownership or description or of assessed value.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BULLOCK

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Garner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Union Springs Herald, a newspaper of general circulation published in Bullock County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 29, April 5, April 12, and April 19, all in the year 1973.

W. H. GARNER, SR.

Sworn to and subscribed before me May 4, 1973.

RUBYE M. GARNER,
Notary Public.

By Mr. Gray (F) (with notice and proof):

H. 532. To authorize and direct the tax assessor of Macon County, beginning October 1, 1973, to assess ad valorem taxes on real and personal property in Macon County pursuant to and in accordance with the provisions of Act No. 344, S. 10, Regular Session 1951 (Acts 1951, p. 632) as last amended, which provides in part for automatic assessment of real property to the party last assessing the same or to the owner of record where there has been no change on the assessment for the current tax year over the preceding tax year either in ownership or of description or of assessed value.

Ways and Means.

Notice and Proof H. 532:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF MACON

Notice is hereby given that a Bill substantially as follows will be introduced by State Representative Fred D. Gray of Tuskegee in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To authorize and direct the tax assessor of Macon County, beginning October 1, 1973, to assess ad valorem taxes on real and personal property in Macon County pursuant to and in accordance with the provisions of Act No. 344, S. 10, Regular Session 1951 (Acts 1951, p. 632) as last amended, which provides in part to automatic assessment of real property to the party last assessing the same or to the owner of record where there has been no change on the assessment for the current tax year over the preceding tax year either in ownership or of description or of assessed value.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax assessor of Macon County is authorized and directed, beginning October 1, 1973, and annually thereafter to assess ad valorem taxes on real and personal property in Macon County pursuant to and in accordance with the provisions of Act No. 344, S. 10, Regular Session 1951 (Acts 1951, p. 632) as last amended, which provides in part for automatic assessment of real property to the party last assessing the same or to the owner of record where there has been no change on such assessment for the current tax year over the preceding tax year either in ownership or description or of assessed value.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly

sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for five successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 22nd, March 29th, April 5th, April 12th, and April 19th, all in the year 1973.

NEIL O. DAVIS,
Publisher.

Sworn to and subscribed before me May 1st, 1973.

ALICE M. WHITE,
Notary Public.

By Mr. Gray (F):

H. 533. To amend Title 22, Section 110, Code of Alabama 1940, as amended, so as to allow the county governing body of each county to establish the fee to be charged by the rabies inspector for the inoculation of dogs against rabies at a charge of not less than two dollars nor more than four dollars per dog.

Local Legislation No. 1.

By Mr. Gray (F):

H. 534. This bill will exempt the purchase of food, medicine and medical supplies from any State, county or municipal sales tax or similar type tax.

Ways and Means.

By Mr. Gray (F):

H. 535. This bill will allow all full-time cooks, maids and janitors employed by city and county boards of education to come under the Teachers' Retirement System.

Ways and Means.

By Mr. Owens:

H. 536. This bill amends Section 2, Title 36 of the Code of Alabama 1940, so as to make it unlawful to operate a motor vehicle while under the influence of any drug.

Judiciary.

By Mr. Owens:

H. 537. This bill creates a legal division within the Department of Public Safety, and provides for the personnel, duties, funding, salaries and expenses of such division.

State Administration.

By Messrs. McCorquodale and Agee:

H. 538. Relating to counties having a population of not less than 26,000 nor more than 26,800 inhabitants according to the most recent federal

decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

By Messrs. Hardin and Jones (F):

H. 539. To levy a cigarette privilege fee; to provide for its collection, enforcement and use and to provide for the appropriations of the proceeds thereof.

Ways and Means.

By Mr. Hardin:

H. 540. Relating to motor vehicle dealers; providing for the licensing of motor vehicle dealers; providing qualifications and fees; prescribing information to be included in application; requiring certain records to be kept; providing a penalty; providing for suspension or revocation of license; requiring a bond or evidence of net worth; providing for severability; providing an effective date.

Judiciary.

By Mr. Mathews:

H. 541. To amend the title and Section 2 of Act No. 20, H. 10, Second Special Session 1971 (Acts 1971, p. 4147), which title and section provide for the payment of \$15 per day for each day served to the jury commission of counties having a population of not less than 10,660 nor more than 10,900, so as to provide for an increase in compensation to \$20 per day served.

Local Legislation No. 1.

By Messrs. Jackson and Wise (with notice and proof):

H. 542. To amend Section 2 of Act No. 151, H. 421, approved June 30, 1953, relating to a secretarial assistant to the Register in Equity of the Circuit Court of Covington County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 542:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 2 of Act No. 151, H. 421, approved June 30, 1953,

relating to a secretarial assistant to the Register in Equity of the Circuit Court of Covington County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 151, H. 421, approved June 30, 1953, relating to a secretarial assistant to the Register in Equity of the Circuit Court of Covington County, Alabama, is hereby amended to read as follows:

"Section 2. The said secretarial assistant to the Register in Equity of the Circuit Court of Covington County, Alabama, shall receive a salary to be fixed and determined by the County Commission of Covington County, Alabama, not to exceed three thousand six hundred dollars per year, which shall be payable in monthly installments out of any fund that may be legally used for this purpose.

"Section 3. The said secretarial assistant shall have the same authority now possessed by the Register of the circuit courts of Alabama to administer oaths."

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared James W. Lambert, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Andalusia Star-News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 25, May 2, May 9, and May 16, all in the year 1973.

JAMES W. LAMBERT, JR.

Sworn to and subscribed before me May 18, 1973.

LORA JONES,
Notary Public.

By Mr. Reid (R):

H. 543. To apply in counties having populations of not less than 26,725 nor more than 27,250, fixing the compensation of the clerk of the register and providing for the payment thereof.

Local Legislation No. 1.

By Mr. Reid (R):

H. 544. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal

decennial census; to provide an additional expense allowance for the county coroner.

Local Legislation No. 1.

By Mr. Reid (R):

H. 545. Relating to the office of the sheriff in all counties having populations of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census; regulating the number and compensation of certain officers and employees of the sheriff, subject to certain conditions; providing motor vehicles for the use of the sheriff and providing office space, supplies, equipment and materials necessary for the conduct of such office.

Local Legislation No. 1.

By Mr. Reid (R):

H. 546. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to provide further for the clerical assistance of the county tax assessor in such counties.

Local Legislation No. 1.

By Mr. Reid (R):

H. 547. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

By Mr. Reid (R):

H. 548. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census, so as to regulate the compensation of members of the jury commission in such counties.

Local Legislation No. 1.

By Mr. Reid (R):

H. 549. To authorize an increase in the compensation of the county solicitor in all counties having populations of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Reid (R) (with notice and proof):

H. 550. To alter, rearrange, and extend the corporate limits of the Town of Rosa, Alabama, in Bount County, so as to include within the corporate limits thereof certain additional territory in Sections 23, 14, and 15, Township 12, South, Range 1 East.

Local Legislation No. 1.

Notice and Proof H. 550:

NOTICE OF
PROPOSED
LEGISLATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the corporate limits of the Town of Rosa, Alabama, in Blount County, so as to include within the corporate limits thereof certain additional territory in Sections 23, 14, and 15, Township 12, South, Range 1 East.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the Town of Rosa, Alabama, in Blount County, are hereby amended and extended to include within said town the following additional territory: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 23, NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15, S $\frac{1}{2}$ of NW $\frac{1}{4}$ and S $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 14, all in Township 12 South, Range 1 East, Blount County, Alabama.

Section 2. This act shall take effect upon its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 29, July 6, 13, and 20, all in the year 1972.

MRS. R. M. HOWARD.

Sworn to and subscribed before me 20th of July, 1972.

JANE HILL,
Notary Public.

By Mr. Reid (R) (with notice and proof):

H. 551. Relating to Blount County; to provide that all hospitals receiving state or county funds shall publish an annual financial statement and shall have their books audited by the state examiner of public accounts annually.

State Administration.

Notice and Proof H. 551:

NOTICE OF
PROPOSED
LEGISLATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Blount County; to provide that all hospitals receiving state or county funds shall publish an annual financial statement and shall have their books audited by the state examiner of public accounts annually.

Be It Enacted by the Legislature of Alabama:

Section 1. Any hospital in Blount County which receives any state, county or municipal public funds shall be audited annually by the state examiners of public accounts and upon completion of said annual audit, the state examiner of public accounts shall publish in a newspaper of general circulation in Blount County a financial statement and audit report on the finances of such hospital. Said financial statement shall include a list of the name and address of each person receiving any salary, wages or other compensation from said hospital.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned she

was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 8, 15, 22, and 29, all in the year 1973.

MRS. R. M. HOWARD.

Sworn to and subscribed before me 29th day of March, 1973.

JANE HILL,
Notary Public.

By Mr. Reid (R) (with notice and proof):

H. 552. Relating to Blount County: Directing and requiring the county governing body to provide for holding a referendum election relative to the continuance of the levy in such county of the special county ad valorem tax for public hospital purposes; and providing for and regulating the discontinuance of such levy if the vote at such election is against the continuance thereof.

Local Legislation No. 1.

Notice and Proof H. 552:

NOTICE OF BILL

STATE OF ALABAMA COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Blount County: Directing and requiring the county governing body to provide for holding a referendum election relative to the continuance of the levy in such county of the special county ad valorem tax for public hospital purposes; and providing for and regulating the discontinuance of such levy if the vote at such election is against the continuance thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Blount County is directed and required to call and provide for holding an election by the qualified electors of the county at which there shall be submitted to the qualified electors participating therein the following question: "Do you favor the continued collection in Blount County of the special ad valorem tax for public hospital purposes, which said tax was heretofore levied and is currently being collected under authority of the amendment to the Constitution of Alabama, proposed by Act No. 570, H. 873, Regular Session of 1949, (Acts 1949, p. 897), proclaimed ratified December 21, 1949, and now appears in the Code of Alabama, Re-compiled 1958, as Amendment No. LXXVI?"

Section 2. The election shall be held in the same manner as are constitutional amendment elections, and it shall be held on the same day as the special election on amendments to the Constitution of Alabama proposed at the Regular Session of the Legislature of 1973. Notice of such election shall be given by the sheriff of Blount County at least thirty days before the election by publication in some newspaper published in Blount County, if any is published therein, and if not, by writing posted at the court house door and at three other public places at the county. Such notice shall state that such election is called pursuant to this act and shall state the time of the election and the question to be submitted. The expense of holding the election shall be paid by the county out of its general fund.

Section 3. If the result of the election indicates that the sentiment of a majority of the electors voting therein is against the continued levy of the tax, then the county governing body shall not after such date pledge the proceeds of such tax to any new debts, and shall cease to levy such tax as soon as all the outstanding debts to which the proceeds of such tax had been pledged at the time of such election are paid in full.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 19, 26, May 3, and 10, all in the year 1973.

MRS. R. M. HOWARD.

Sworn to and subscribed before me May 10, 1973.

JANE HILL,
Notary Public.

By Mr. Reid (R) (with notice and proof):

H. 553. Relating to Blount County; to require the County Board of Education to provide all public school bus drivers with liability insurance in the amount required by the Alabama Motor Vehicle Safety Responsibility Act.

Local Legislation No. 1.

Notice and Proof H. 553:

NOTICE OF
PROPOSED
LEGISLATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Blount County; to require the County Board of Education to provide all public school bus drivers with liability insurance in the amount required by the Alabama Motor Vehicle Safety Responsibility Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The Blount County Board of Education shall provide all drivers of public school buses in Blount County with motor vehicle liability insurance in the amount and as defined in the Alabama Motor Vehicle Safety Responsibility Act, viz: Act No. 704, H. 475, 1951 Regular Session, (Acts 1951, p. 1224), as amended.

Section 2. The Blount County Board of Education may use any public education funds under their custody and control to pay for the cost of said insurance.

Section 3. In the event the State Board of Education or the Legislature takes action to provide such motor vehicle liability insurance by state wide regulation or statute, such state wide regulation or statute shall supersede and replace the provisions of this Act.

Section 4. The provisions of this Act shall become effective immediately and the Blount County Board of Education shall provide the insurance required by this Act no later than sixty (60) days after the effective date of this Act.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was pub-

lished in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 12, 19, 26, and May 3, all in the year 1973.

MRS. R. M. HOWARD.

Sworn to and subscribed before me May 3, 1973.

JANE HILL,
Notary Public.

By Mr. Reid (R) (with notice and proof):

H. 554. Relating to the city of Oneonta in Blount County; providing for the election by popular vote of members of the city board of education; prescribing the terms, qualification and compensation of members of such city board of education; and abolishing the existing board of education in such city.

Local Legislation No. 1.

Notice and Proof H. 554:

NOTICE OF
PROPOSED
LEGISLATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BIL
TO BE ENTITLED
AN ACT

Relating to the city of Oneonta in Blount County; providing for the election by popular vote of members of the city board of education; prescribing the terms, qualification and compensation of members of such city board of education; and abolishing the existing board of education in such city.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) The board of education of the city of Oneonta in Blount County is hereby abolished effective at midnight on the first Tuesday occurring at least sixty days after the referendum election at which this act is approved, and replaced with the board of education as herein provided for. Said board shall have all the powers, duties, rights and immunities otherwise provided by law for city boards of education in the State of Alabama.

(b) The first members elected to the board of education of the city of Oneonta shall be elected at a special election not less than thirty nor more than fifty days after this act is approved pursuant to Section 3 hereof. The board of education of such city shall consist of five places, and such places shall be designated and numbered as follows, to-wit: Member, Board of Edu-

cation, Place Number One; Member, Board of Education, Place Number Two; Member, Board of Education, Place Number Three; Member, Board of Education, Place Number Four; Member, Board of Education, Place Number Five. A person seeking election and qualifying as a candidate for election as a member of said board shall designate by number the place on such board for which he is a candidate, and it shall be so stated on the ballot.

(c) All members of the board of education herein provided for shall be elected from the city at large, and no person shall be a candidate or be permitted to file his statement of candidacy for more than one of such places. No ballot shall be counted for any candidate except for the place number for which he announced in his statement of candidacy. The city governing body shall provide for the holding of elections authorized herein and for the payment of the expenses of such elections.

(d) Members of the board of education of the city of Oneonta first elected under this act shall be elected at a special election held at the time specified in subsection (b) of this section. Their successors shall be elected at the regular election for members of the municipal governing body as hereinafter provided. Any candidate who receives a majority of all votes cast for all candidates seeking election to the position for which he is a candidate shall be declared elected to that position. In the event no candidate receives a majority of all the votes cast for any one or more positions on the board of education, the governing body of the city shall order a second or run-off election. In case of the election of the first members, if such second or run-off election is necessary it shall be held, one week after the first election. In case of elections of members at the regular municipal elections, when a second or run-off election is needed such second or run-off election shall be held and conducted pursuant to the regular municipal election laws governing second or run-off elections. At the second or run-off election the two candidates receiving the most votes for the office in the first election shall be the candidates, and the person receiving the highest number of votes in the second or run-off election shall be declared elected. In the event of a tie vote between the candidates in such run-off election, the then serving governing body of the city shall immediately decide the election by majority vote.

(e) The method and dates for qualifying as a candidate for the city board of education provided for hereunder and the conduct of elections hereunder shall be the same as other municipal elections in the city of Oneonta, except that no candidate for member of the board of education shall be required to pay a qualifying fee.

(f) Members of the board of education first elected hereunder shall take office on the first Tuesday occurring at least sixty days after the referendum election at which this act is approved. Their successors shall take office on the last Wednesday in September in the year of their election.

(g) Candidates for the board of education shall be qualified electors of the city of Oneonta, and shall in no way be subject to the authority of the board.

(h) In the event of a vacancy in the membership of the board of education of the city of Oneonta the city council or other city governing body shall, by majority vote, elect a person to fill such vacancy for the unexpired term.

Section 3. The substantive provisions of this act shall not become effective unless it is first approved by a majority of the qualified electors of

the city of Oneonta who vote in a referendum election held for that purpose. Such referendum election shall be held on the first Tuesday after the expiration of sixty days after the final adjournment of the current session of the legislature, and in the following manner; the city council or other municipal governing body must call the election to determine the sentiment of the voters as to whether or not the board of education of the city of Oneonta shall be elected in the manner provided in this act. Said election shall be held and the officers appointed to hold the same shall be appointed in the manner provided by law for holding other municipal elections, and the returns thereof shall be tabulated and the results certified as provided by law for such elections. Notice of the election shall be given by the city clerk by publication at least three weeks before the date of the election in a newspaper published in the city. The cost of the election, including the cost of publishing notices thereof, shall be paid out of the general funds of the city. On the ballots to be used in such election the question shall be in the following form: "Do you favor the election of the board of education of the city of Oneonta as provided in Act No. _____ of the _____ Session of the Alabama Legislature? Yes (_____) No (_____)". Only qualified voters of the city shall vote in said election. If a majority of the voters voting in the election vote "Yes," this act shall thereafter be effective in the city; however, if a majority of the voters voting in said election vote "No," this act shall have no further force and affect in the city. The Probate Judge of Blount County shall certify the results of the referendum to the secretary of state within thirty days after the determination thereof.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its other-wise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 10, August 17, August 24, and August 31, all in the year 1972.

MRS. R. M. HOWARD.

Sworn to and subscribed before me 31st day of August, 1972.

JANE HILL,
Notary Public.

By Mr. Reid (R) (with notice and proof):

H. 555. Relating to Blount County: to provide for the nomination and election of the board of education of the county; specifically providing for the election of the members of such board by the qualified electors of Blount County who reside outside the corporate limits of the city of Oneonta and for the nomination of candidates by the qualified electors of designated districts; dividing that part of Blount County lying outside the corporate limits of the city of Oneonta into districts for the purpose of the nomination and election of such members; prescribing the times of election of such members and their qualifications.

Local Legislation No. 1.

Notice and Proof H. 555:

NOTICE OF
PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Blount County: to provide for the nomination and election of the board of education of the county; specifically providing for the election of the members of such board by the qualified electors of Blount County who reside outside the corporate limits of the city of Oneonta and for the nomination of candidates by the qualified electors of designated districts; dividing that part of Blount County lying outside the corporate limits of the city of Oneonta into districts for the purpose of the nomination and election of such members; prescribing the times of election of such members and their qualifications.

Be It Enacted by the Legislature of Alabama:

Section 1. Members of the county board of education of Blount County, except the member serving from beat or precinct 36, serving when this act becomes law shall serve out the terms for which they have theretofore been elected. The Governor shall appoint a member of the board to fill the vacancy caused by the elimination of a member from beat or precinct 36 for the remainder of the term for which the member from said beat or precinct 36 had theretofore been elected. Their successors shall be elected as provided in this act.

Section 2. For the purpose of the nomination and election of members of the county board of education that part of Blount County lying outside the corporate limits of the city of Oneonta is hereby divided into five districts as follows:

3rd Day

District number one shall be composed of the following election precincts or beats, as such beats or precincts are established and existing when this act becomes law: 1-Blount Springs, 19-Walker's, 20-Bangor, 23-Nector, 24-Sulphur Springs, 25-Mt. High, 26-Rock Springs, 29-Calvert, (Hayden), 35-Harmony, 39-Copelands.

District number two shall be composed of the following election precincts or beats, as such beats or precincts are established and existing when this act becomes law: 2-Gum Springs, 4-Pocahontas, 5-Blountsville, 7-Summit, 17-Royal.

District number three shall be composed of the following election precincts or beats, as such beats or precincts are established and existing when this act becomes law: 22-Rays, 8-Campbells, 3-Moore's 33-Liberty, 6-Brooks-ville, 32-Burgett's, 28-Bright Star.

District number four shall be composed of the following election precincts or beats, as such beats or precincts are established and existing when this act becomes law: 12-Cleveland, 12½-Rosa, 13-Whites, 16-Self's, 27-Lo-cust Fork, 34-Concord, 21-Joy.

District number five shall be composed of that territory lying in beat or precinct 36 but outside the city limits of the city of Oneonta and the following election precincts or beats, as such beats or precincts are established and existing when this act becomes law: 11-Allgood, 14-Remlap, 30-Compton, 31-Blount Highland, 31-1 Holly Springs, 10-Hardwick, 18-Straight Mountain, 37-Dailey's, 9-Hoods, 28-Thompson, 15-Bailey's.

Section 3. One member of the county board of education of Blount County shall reside in and be a qualified elector of each of the several above described districts; and one of such members shall be nominated by the qualified electors of each of the several districts, such member being nominated by the qualified electors of the district he resides in and represents. All members of the board shall be elected by the qualified electors of all the county, except that part lying within the corporate limits of the city of Oneonta. Such members shall be elected as follows: successors to the member appointed to serve out the term of the member from Beat 36 of Blount County when this act becomes effective shall be nominated by the qualified electors of district number five as hereinabove described and successors to the member serving from district number four of Blount County exclusive of Beat 36, when this act becomes effective, shall be nominated by the qualified electors of district number four as hereinabove described. They shall be elected at the general election in 1974 and each six years thereafter.

Successors to the members serving from districts numbers one and two when this act becomes effective, shall be nominated by the qualified electors of districts numbers one and two, respectively, as hereinabove described. They shall be elected at the general election in 1976 and each six years thereafter.

Successors to the member serving from district number three when this act becomes effective, shall be nominated by the qualified electors of district number three as hereinabove described; and shall be elected at the general election in 1978 and each six years thereafter.

The nomination of members of the board shall be made in the year such members, respectively, shall be elected.

Section 4. The members of the board of education of Blount County shall possess all the qualifications required by the Constitution and general laws of the State of Alabama for each members of county boards of education, and in addition thereto, each member must be a resident citizen and qualified elector of the designated district for which he is nominated and elected.

Section 5. The provisions of part thereof is declared invalid or unconstitutional, such or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws and parts of laws in conflict with this act are hereby repealed.

Section 7. This act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 10, 17, 24, and 31, all in the year 1972.

MRS. R. M. HOWARD.

Sworn to and subscribed before me 31st day of August, 1972.

JANE HILL,
Notary Public.

By Mr. Casey:

H. 556. Relating to counties having a population of not less than 10,900 nor more than 11,500, according to the most recent federal decennial census; to provide further for the compensation and expenses of the county superintendent of education.

Local Legislation No. 1.

By Mr. Chesnut (With Notice and Proof):

H. 557. Relating to DeKalb County; abolishing the position of county license inspector; placing the powers, duties and functions of said office in the sheriff of said county; providing for the disposition of fees accruing from the performance of the duties of license inspector and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 557:

STATE OF ALABAMA
COUNTY OF DeKALB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; abolishing the position of county license inspector; placing the powers, duties and functions of said office in the sheriff of said county; providing for the disposition of fees accruing from the performance of the duties of license inspector and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Notwithstanding the provisions of Title 51, Section 835, Code of Alabama 1940, as amended, and any other general or local law of this state, no person shall be appointed to the position of county license inspector of or for DeKalb County. The position of county license inspector in said county is hereby abolished and the powers, duties and functions of said office shall henceforth be vested in and performed by the sheriff of said county. All fines, fees, and penalties heretofore paid to the license inspector for the performance of his duties of office shall be paid into the general fund of the county.

Section 2. All laws or parts of laws, general or local, which conflict with this act are hereby repealed as to DeKalb County.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dr. Marvin L. Barron, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sand Mountain News, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 12, April 19, April 26, and May 3, all in the year 1973.

MARVIN L. BARRON, DMD.

Sworn to and subscribed before me May 3, 1973.

CAREY H. BAKER,
Notary Public.

REGULAR SESSION
3rd Day

261

By Messrs. Merrill, Stewart and Burgess (With Notice and Proof):

H. 558. Relating to Calhoun County; to provide for the salary of certain officials of said county.

Local Legislation No. 1.

Notice and Proof H. 558:

STATE OF ALABAMA,
COUNTY OF CALHOUN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Calhoun County; to provide for the salary of certain officials of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The probate judge, the county judge, the chairman of the governing body, the tax assessor, the tax collector, and the circuit clerk of Calhoun County shall each receive an annual salary of \$18,250, payable in equal monthly installments from the general fund of said county; and said salary shall be the total compensation of said officials and shall be paid in lieu of any salary and expense allowance heretofore prescribed by law.

Section 2. The salaries provided herein in Section 1 shall become effective upon the expiration of the terms of office held by the incumbent officeholders enumerated herein in Section 1.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without

cost to the State of Alabama, said notice having appeared in the issues of said paper on April 27, April 30, May 7, and May 14, all in the year 1973.

PHILLIP SANGUINETTI.

Sworn to and subscribed before me May 15, 1973.

LOLA J. BRIGHT,
Notary Public.

By Messrs. Stewart, Lyons, Erdreich, Hardin, Crowe, Flippo, St. John, Wood, Taylor, Jones (F), Connell and Barkett:

H. 559. Proposing amendment of Sections 51, 57, 114, 117, 118 and 120 of the Constitution of 1901 relating to the legislative and executive departments of state government.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Stewart, Lyons, Erdreich, Hardin, Crowe, Flippo, St. John, Wood, Taylor, Jones (F), Connell and Barkett:

H. 560. To amend further Code of Alabama 1940, Title 17, Sections 155, 254, 348, 350, 352, 364 and 412, as amended, relating to general and primary elections to become effective at the next election for governor and lieutenant governor and upon the ratification and adoption of an Amendment to the Constitution of Alabama proposed at the current session of the legislature.

Constitution and Elections.

By Messrs. Drake, Wallace, Wynot, Timmons, Mims, Kinsey, Jones (F), Hobbie, Casey, O'Daniel, Bowers, Wise, St. John, Ellis, King, Cauthen, Lyons, Downing, May, Flippo, Brassell, Crowe, Turner, Robertson, Parker, Lutz, Adams, Agee, Smith (K), Warren, Stewart, Stokes, Grey (D), Naramore, Carnes, Taylor, Reid (R), Coshatt, Turnham, Waggoner, Roberts, Callahan, Headley, McBride, Boles, Boutwell, Benton, Connell, Jackson, Goodwin, Smith (P), Hill, Doss, Jones (E), Erdreich, Grainger, Merrill, Burgess, Falkenburg, Cottingham, Therrell, McDonald, Carter, Chesnut, Lang, Collins, Hardin, Fite, Williams, Bank, McCluskey, Hearn, Waldrop, Reed (T), Easters, Owens, Barkett, Nettles, Stubbs, Edwards, Adwell, Reynolds, Cross, Crawford, Culver, Hale, Gray (F), Meeks, Weeks, Mathews, and Manley:

H. 561. To authorize county and city boards of education to provide one hundred twenty-four dollars (\$124) per annum per teacher toward the purchase of a group hospital/medical insurance program selected by a majority of the teachers and to make an appropriation from the Alabama Special Educational Trust Fund therefor.

Ways and Means.

By Messrs. Drake and St. John:

H. 562. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate

limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Local Legislation No. 1.

By Mr. Easters (With Notice and Proof):

H. 563. Relating to Coffee County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Coffee County.

Local Legislation No. 1.

Notice and Proof H. 563:

STATE OF ALABAMA
COUNTY OF COFFEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Coffee County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Coffee County.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other authority now vested in the Coffee County Commission, the said Coffee County Commission shall set the necessary policies and priorities for the construction, maintenance and repair of all public roads, county highways, bridges, ferries and public facilities within Coffee County, Alabama, to insure the people of Coffee County with a safe and adequate road system. It shall be the further duty of each associate member of the commission to inspect the roads of his district from time to time, and hear the suggestions and complaints of the citizens, and report the same to the commission with his recommendations; to advise with the county engineer concerning the problems of his district, particularly; and to assist in securing rights-of-ways, and assist in public service generally. It shall be the duty of the county engineer to provide the necessary equipment and personnel to responde to any request of an emergency nature made by an associate member of the Coffee County Commission or any citizen in the absence of a commissioner wherever and whenever an emergency shall arise in Coffee County.

Section 2. The Coffee County Commission or any succeeding county governing body performing the functions of the county governing body in said county, shall appoint and employ a county engineer, who shall be a thoroughly qualified and competent professional engineer not required to be a land surveyor, but otherwise possessing all of the qualifications as specified for county engineers under the general laws of the State of Alabama; and he shall devote his entire time and attention to the maintenance and construction of the Coffee County public roads, highways, bridges, ferries, and other county engineering projects and shall, during his employment, reside in Coffee County, Alabama. The said county engineer shall serve at the pleasure of the Coffee County Commission.

Section 3. It shall be the duty of the said county engineer, in accordance with policy established by the Coffee County Commission, within the law of the State of Alabama, (1) to employ, supervise and direct all such assistants as are necessary to properly maintain and construct the public roads, highways, bridges and ferries of Coffee County, and he shall have authority to prescribe their duties, and to discharge said employees for cause; (2) to perform such engineering service and surveying as may be required; (3) to maintain the necessary accounting records to reflect the cost of the county highway system; (4) in accordance with the policies and priorities established by the Coffee County Commission, to build or construct new roads, or change old roads; (5) to locate within the various districts of Coffee County the necessary equipment to perform routine maintenance of all public roads, highways, bridges and ferries on a continuing basis; (6) it shall be his further duty, insofar as is feasible, to construct and maintain all county roads on the basis of the county as a unit, without regard to any district or beat lines.

Section 4. It shall be the duty of the commission to fix, from time to time, in accordance with prevailing economic conditions, the various scales of wages or salaries to be paid for labor necessary in the maintenance and construction of said roads, bridges, ferries, and public facilities and said wage or salary scale shall not be exceeded by said engineer in the employment of labor and assistants.

Section 5. The commission shall fix the amount of the salary of the said county engineer, payable in equal monthly installments from appropriate road and highway funds.

Section 6. Before entering upon his duties, the said county engineer shall make and enter into a surety bond in the amount of five thousand dollars (\$5,000.00), payable to Coffee County, conditioned for the faithful discharge and performance of his duties as such engineer, and for the faithful accounting of all monies or property of said county, which may come into his possession or custody. Said bond shall be executed by a surety company authorized and qualified to do business in Alabama, and be approved by the commission. The premiums thereon shall be paid by the county.

Section 7. The commission shall furnish the county engineer with an office within the county and all necessary office supplies, equipment, communication, utilities and with necessary transportation to accomplish his duties under this Act.

Section 8. The county engineer shall be the custodian of all road machinery and equipment, tools, supplies and repair parts, owned by Coffee County, and he shall be accountable to the Coffee County Commission for

the same at all times. The Coffee County Commission shall establish necessary policy and regulations governing accountability and relief therefrom. The commission shall furnish the necessary storage and repair facilities for said tools, machinery, supplies and equipment, and the county engineer shall keep on file in his office, at all times, an up-to-date inventory containing a list of all said tools, machinery, equipment and supplies belonging to Coffee County.

Section 9. The authority of said county engineer shall be limited to the expenditure of such funds for the purpose of construction, maintenance or repairs of public roads, bridges, ferries, or any other duties for Coffee County as may be set aside and appropriated by the commission as hereinafter provided; it shall be the duty of said commission at some meeting in September of each calendar year or not later than the first meeting in October following, by order or resolution spread upon the minutes, to fix and determine the amount of funds which will be available for the purpose of building, maintaining and constructing public roads, bridges and ferries of Coffee County for the current fiscal year, beginning on October 1st, which said amount, other than the salary of said county engineer and his necessary expenses, shall not be exceeded by him in building, maintaining and constructing public roads, bridges and ferries in Coffee County during said period; provided however, that said commission is authorized, from time to time within any such period, to increase the amount so allowed to be expended by said county engineer during said period, when such authorization will not conflict with provisions of the general laws of The State of Alabama. Provided further, that if such funds are presently available, and have not heretofore been set aside by the present Coffee County Commission, immediately upon the passage and approval of this Act, it shall be the duty of the commission to set aside a sufficient portion of said funds for the maintenance of said roads, bridges, and ferries until the meeting in September, or October, 1973, as hereinabove provided for.

Section 10. The county engineer shall make written requisition to the County Purchasing Agent for all materials, machinery, equipment, and necessary supplies needed for the construction, maintenance, or repair of the public roads, bridges and ferries of Coffee County. Such requisitions shall be filed and presented by the chairman to the commission at its next meeting, for the approval of the commission. Provided, however, that the County Purchasing Agent shall have full power and authority to make said purchases without first obtaining the approval of the Coffee County Commission if the delay caused by the hereinabove procedure, might, in his judgment, cause an unnecessary and harmful interruption in the operation of the county road system, providing said purchases are made in accordance with prevailing law. The County Purchasing Agent shall be solely responsible and accountable for purchasing the materials, machinery, equipment and supplies under the approved requisitions, and shall report monthly to the Coffee County Commission.

Section 11. It shall be the further duty of the county engineer to inspect all materials, machinery, equipment, and supplies, purchased by Coffee County for use on public roads, bridges and ferries, when the same is delivered, and the same shall neither be accepted nor paid for without it's first having been approved by him and any deviation shall be reported by the engineer to the Coffee County Commission.

Section 12. In the event an emergency should arise, in which it would be impossible for the commission to employ an engineer, as hereinabove provided for, then, in that event, the commission shall employ a competent road supervisor who need not be an engineer, but, when so employed, he shall have all the duties and authority of said engineer, and be subject to the provisions of this Act; but an emergency shall not exist longer than necessary to employ a qualified engineer who will accept employment by said commission under the terms of this Act, it being the intention of this Act to provide that, when county roads, bridges and ferries are to be maintained or constructed in said county, the supervision thereof shall be under a qualified engineer.

Section 13. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. The Coffee County Commission shall, within 60 days of the effective date of this act, provide the County engineer with the necessary facilities and budget to fully implement the terms hereof.

Section 15. All laws or parts of laws which conflict with this Act are hereby repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COFFEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ferrin Cox, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the THE ELBA CLIPPER, a newspaper of general circulation published in COFFEE County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 29, April 5, April 12, and April 19, all in the year 1973.

FERRIN COX.

Sworn to and subscribed before me May 3, 1973.

ROBERT L. MARSH,
Notary Public.

By Mr. Lang:

H. 564. Relating to all counties having a population of not more than 10,660; providing a travel allowance for members of the county governing body.

Local Legislation No. 1.

By Mr. Lang:

H. 565. Relating to all counties having a population of not more than 10,660; providing for the appointment, duties, and compensation of clerks for the county governing body.

Local Legislation No. 1.

By Messrs. Turnham, Brassell and Adams:

H. 566. Relating to the thirty-seventh judicial circuit; providing for additional circuit court judge in such circuit.

Ways and Means.

By Mr. Williams:

H. 567. Relating to counties having a population of not less than 38,100 nor more than 40,500 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

By Mr. Williams:

H. 568. To make an appropriation from the State Treasury for the relief of Ruby T. Butler, Tax Assessor of Jackson County for services rendered for which no salary or fees are payable.

Ways and Means.

By Messrs. Falkenburg, Erdreich, Jones (E), Dill, Boutwell, McBride, Timmons, Doss, Ellis, Adwell, Gafford, Wallace and Waggoner:

H. 569. To provide for the appointment, duties and compensation of four additional Deputy District Attorneys in judicial circuits composed of one county having a population of 600,000 or more according to the last or any subsequent federal decennial census and to provide when said Act shall go into effect.

Ways and Means.

By Messrs. Bowers, Turnham, Smith (P), Meeks, Hobbie, Erdreich, Wallace and Adwell:

H. 570. To create the State Department of Forensic Science and to provide for certain divisions within said department; to provide for the duties and authority of such department with respect to death, criminalistic and toxicologic investigations associated with deaths and crimes within this State; to transfer all of the rights, duties, powers and authority now vested in the State Toxicologist to the State Department of Forensic Science; to place all authority for the investigation of public interest deaths and deaths of interest to law enforcement in a certain division of said department; to provide for continuation of scientific assistance to all law enforcement agencies in this State; to provide for the qualifications of certain officers and employees of said department; to appropriate funds and to repeal all laws in conflict with this Act, including all laws respecting the authority of coroners to make investigations of death; the office of coroner is abolished and all present powers, duties, and responsibilities of coroners, which are not related to death investigations, are placed on the Clerk of the Circuit Court in each county; and specifically repealing Code of Alabama 1940, Title 14, Sections 387 through 390, inclusive, relating to the State Toxicologist.

Ways and Means.

By Mr. Fite:

H. 571. Relating to all counties having a population of not less than 16,600 nor more than 16,950 according to the most recent federal decennial census; to provide that the sheriff of such counties shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners; and to make the provisions of this Act retroactive to March 23, 1973.

Local Legislation No. 1.

By Mr. Fite:

H. 572. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the court reporter an expense allowance of \$150.00 per month.

Local Legislation No. 1.

By Mr. Fite:

H. 573. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff an expense allowance of \$150.00 per month.

Local Legislation No. 1.

By Messrs. Bowers, McBride, Waggoner, Boutwell, Adwell, Gafford, Erdreich and Lyons:

H. 574. To authorize the Director of Finance, the Director of the Alabama Development Office, the State Treasurer and the Executive Secretary to the Governor to become a public corporation for the purpose of acquiring land for, and erecting, constructing, maintaining, operating and leasing thereon, a products market, exhibition halls, buildings and other related structures and facilities in Jefferson County, Alabama, where products and goods may be displayed to encourage the buying and selling of such products and goods, to encourage the expansion of existing industries in Alabama, to encourage the location of new industries in Alabama and to foster and encourage the growth of the general economy of Alabama; to provide the procedure for incorporation and to designate the members, directors and officers of the Authority; to provide for the establishment in Jefferson County, Alabama, of a products market to be known as the Southern Products Mart Authority; to prescribe the powers of the Authority, including the power to acquire real estate and to acquire, erect, construct, insure, maintain, manage, operate and lease thereon, facilities, buildings, warehouses, storage facilities, exhibition halls, parking areas and other structures and appurtenances of every kind and character used or useful by the Authority for its purposes, to exercise the power of eminent domain, and the power to sell and issue not exceeding twenty million dollars principal amount of bonds for such purposes; to specify certain provisions to be contained in the bonds and the execution and sale of such bonds; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that

such bonds shall be payable solely out of revenues, receipts and income of the Authority and shall not create an obligation or debt of the State or any political subdivision thereof other than the Authority; to provide that any bonds issued by the Authority may be used as security for the deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to specify the application of the revenues, receipts and income of the Authority; to provide for the construction and equipment of the buildings and facilities of the Authority; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues, receipts and income from its facilities as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues, receipts and income which filing will constitute notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to or by any person as defined in the act, including the state or any political subdivision thereof, any agency or board of the state, any municipality or body politic, of space for occupancy on the premises or in the buildings or other structures of the Authority; to provide for the audit of books and accounts of the Authority; to provide for competitive bidding on construction contracts; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; to provide for and limit remedies in the event of any default; to provide for dissolution of said Authority and conveyance of its assets and properties to the state upon payment of said bonds; to provide that the provisions of this act shall be severable; and to provide for a date upon which this act shall become effective.

Ways and Means.

By Messrs. Bowers, Adwell, Boutwell and Weeks:

H. 575. To require any elected or appointed official of the State, or of any county or municipality, to file a statement of assets with the Attorney General, to dispose of all stocks in private business, to place in trust the assets of his family, to disclose such assets when they are in conflict with his official duties, to refrain from any official act which would affect the value of his assets, and to refrain from accepting gifts; to provide for the publication of the assets of any official who has a conflict of interest, and providing penalties for violations of the provisions of this Act.

Judiciary.

By Messrs. Gafford, Dill, McBride, Erdreich, Falkenburg, Waggoner, Adwell, Timmons, Jones (E), Boutwell, Bowers, Doss, Weeks and Ellis:

H. 576. To amend Section 1.07 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Local Legislation No. 2.

By Messrs. Erdreich, McBride, Timmons, Dill, Adwell and Waggoner:

H. 577. To authorize the Alabama Alcoholic Beverage Control Board in its discretion to grant to any civic center authority to which a liquor license

has been issued under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature a revocable temporary permit to sell or dispense in any part of its civic center for consumption therein draft or keg beer or malt beverages; to provide for the automatic termination of permits granted hereunder; and to repeal all laws or parts of laws which conflict with the provisions of this Act.

Local Legislation No. 2.

By Mr. McBride:

H. 578. To further amend Section 12, Title 52, Code of Alabama 1940, as amended, which section relates to the meetings of members of the state board of education, so as to provide for monthly meetings by members of said board.

Education.

By Mr. Reed (T):

H. 579. To require that all full-time school bus drivers in the public school systems shall be paid a salary of not less than \$300 per month.

Ways and Means.

By Mr. Stubbs:

H. 580. To provide for an appropriation out of the State General Fund for the relief of Mrs. Thelma M. Sewell.

Ways and Means.

By Mr. Stubbs (with notice and proof):

H. 581. To amend Section 13 of Act No. 670, H. 1234, 1971 Regular Session (Acts of 1971, p. 1389), entitled, "An Act To create and establish the Shelby County Inferior Court; to prescribe its jurisdiction and procedure; to provide for its officers and employees and for their duties, power, qualifications, compensation, and the manner of their appointment or election; and to repeal conflicting laws."

Local Legislation No. 1.

Notice and Proof H. 581:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 13 of Act No. 670, H. 1234, 1971 Regular Session (Acts of 1971, p. 1389), entitled, "An Act To create and establish the Shelby

County Inferior Court; to prescribe its jurisdiction and procedure; to provide for its officers and employees and for their duties, power, qualifications, compensation, and the manner of their appointment or election; and to repeal conflicting laws."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 13 of Act No. 670, H. 1234, 1971 Regular Session (Acts of 1971, p. 1389), entitled, "An Act To create and establish the Shelby County Inferior Court; to prescribe its jurisdiction and procedure; to provide for its officers and employees and for their duties, power, qualifications, compensation, and the manner of their appointment or election; and to repeal conflicting laws," is hereby amended to read as follows:

"Section 13. The Sheriff of Shelby County shall, in person or by a deputy, appointed by him, with approval of the Judge of said court, be required to attend upon said court in preserving order, and execute all writs of process issued out of and returnable to this court and perform such other duties in all respects as in the Circuit Court of this State, except as herein otherwise provided."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mildred Wallace, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Associate-Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 29, April 5, 12, and 19, all in the year 1973.

MILDRED WALLACE.

Sworn to and subscribed before me April 19, 1973.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Fite:

H. 582. To amend the title and Section 1 of Act No. 2374, H. 158, Regular Session, 1971 (Acts 1971, p. 3803-3804), which Act provides further for the compensation and allowances of the superintendent of education in such counties.

Local Legislation No. 1.

By Mr. Fite:

H. 583. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent fed-

eral decennial census; to provide that the county governing body give the sheriff's chief clerk a salary of not less than \$4,800 nor more than \$6,000 per year.

Local Legislation No. 1.

By Mr. Fite (with notice and proof):

H. 584. To provide that the Sheriff of Marion County shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners, to make the provisions of this act retroactive to January 18, 1971.

Local Legislation No. 1.

Notice and Proof H. 584:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide that the Sheriff of Marion County shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners, to make the provisions of this act retroactive to January 18, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Marion County is hereby authorized to keep and retain all fees and allowances provided for by law for the feeding and care of prisoners.

Section 2. All laws or parts of laws in conflict here-with are hereby repealed.

Section 3. This act shall have retroactive effect to January 18, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald E. Gipson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 12, 19, 26, and May 3, all in the year 1973.

DONALD E. GIPSON.

REGULAR SESSION
3rd Day

273

Sworn to and subscribed before me May 21st, 1973.

RAYMOND C. LOGAN,
Notary Public.

By Mr. Fite (with notice and proof):

H. 585. To provide for the appointment of an additional deputy sheriff in Marion County.

Local Legislation No. 1.

Notice and Proof H. 585:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the appointment of an additional deputy sheriff in Marion County.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Marion County, with the advice and consent of the county commission, is hereby authorized and empowered to appoint a deputy sheriff who shall be in addition to any and all other deputy sheriffs provided for by law. The additional deputy sheriff appointed under the provisions of this Act shall serve at the pleasure of the county commission who shall fix his salary and provide for its payment out of county funds.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald E. Gipson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 26, May 3, 10, and 17, all in the year 1973.

DONALD E. GIPSON.

Sworn to and subscribed before me May 21st, 1973.

RAYMOND C. LOGAN,
Notary Public.

By Mr. Fite:

H. 586. Relating to counties having a population of not less than 14,500 nor more than 14,900 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff's chief clerk a salary of not less than \$4,800 nor more than \$6,000 per year.

Local Legislation No. 1.

By Mr. Fite:

H. 587. To propose an amendment to the Constitution of Alabama creating a special school tax district in Marion County and authorizing the levy and collection of special district property taxes for capital outlay purposes for the Marion County school system within said special district, and providing that such levy and collection shall be subject to a vote of the qualified electors in the district.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Fite:

H. 588. Relating to all counties having a population of not less than 14,500 nor more than 14,900 according to the most recent federal decennial census; to provide that the sheriff of such counties shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners; and to make the provisions of this Act retroactive to January 18, 1971.

Local Legislation No. 1.

By Mr. Fite:

H. 589. Relating to counties having a population of not less than 14,500 nor more than 14,900 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff an expense allowance of \$150 per month.

Local Legislation No. 1.

By Messrs. King, Doss, Hale and Coshatt:

H. 590. To amend further Section 2 of Title 51, Code of Alabama 1940, as amended, so as to exempt from ad valorem taxation all devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation primarily for the purpose of recycling waste products.

Ways and Means.

By Messrs. King, Doss, Hale and Coshatt:

H. 591. To provide for a voluntary anatomical gift by executing a statement on state drivers' licenses and to require that a statement be provided for, for such voluntary gifts, on the reverse side of all issued drivers' licenses.

Health.

By Messrs. King, Doss, Hale and Coshatt:

H. 592. To amend Section 402 of Title 51 of the Code of Alabama of 1940, as heretofore amended, to provide for the allowance of a deduction, for Alabama corporate income tax purposes, for all amounts invested in devices, parts of devices, systems or facilities used or placed in operation in the State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the purpose of recycling waste products; to provide for, in lieu of such deduction, the amortization of all such amounts over such period (not exceeding the useful life of the devices, parts, systems or facilities for which such amounts were expended) as shall be specified in the tax return respecting the taxable year during which such amounts were expended and for appropriate deductions of the amounts so amortized, to provide that the taking of any such deductions shall be optional with the taxpayer, to provide that any such deduction, if taken, shall be in lieu of any other allowance for depreciation or obsolescence with respect to such devices, parts, systems or facilities, and to provide that none of such deductions shall be subject to any apportionment or allocation otherwise required and that all thereof shall be allowed in full.

Ways and Means.

By Messrs. King, Doss, Hale and Coshatt:

H. 593. To amend further Section 789 of Title 51, Code of Alabama 1940, as heretofore amended, so as to exempt from the state use tax, the storage, use or consumption of any devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation in this state primarily for the purpose of recycling waste products.

Ways and Means.

By Messrs. King, Doss, Hale and Coshatt:

H. 594. To amend further Section 25 of Title 51, Code of Alabama 1940, as heretofore amended, so as to provide for the deduction, from the assessed value of the shares of any Alabama corporation for the purpose of taxation of such shares, of the assessed value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in this state primarily for the purpose of recycling waste products.

Ways and Means.

By Messrs. King, Doss, Hale and Coshatt:

H. 595. To amend further Section 348 of Title 51, Code of Alabama 1940, as heretofore amended, so as to provide for the deduction, for purposes of computing the franchise tax on foreign corporations, of all amounts invested in all devices, identifiable parts of devices, systems and facilities used or placed in operation in this state primarily for the purpose of recycling waste products.

Ways and Means.

By Messrs. King, Doss, Hale and Coshatt:

H. 596. To amend further Section 33 of Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as heretofore amended, so as to exempt from the provisions of said act, and from the computation of the

amount of sales tax levied, assessed or payable thereunder, the gross proceeds from the sale of all devices, identifiable parts of devices, systems or facilities used or placed in operation in this state, primarily for the purpose of recycling waste products.

Ways and Means.

By Messrs. Grainger, Lutz, Hearn, Waldrop, Carnes, Robertson, Waggoner, Doss, Culver, Stubbs, Mims, Hale and McCluskey:

H. 597. Relating to state revenue: to exempt certain prosthetic devices and physical aids from the State sales and use tax laws.

Ways and Means.

By Messrs. Lutz, Hearn, Grainger and Hale (with notice and proof):

H. 598. Pertaining to Madison County; to authorize the governing body of said county to appropriate funds for the use and benefit of Fellowship Center, Inc., a non-profit corporation, formerly known as Senior Citizens Activities Center Huntsville-Madison County, Alabama, a non-profit corporation.

Local Legislation No. 4.

Notice and Proof H. 598:

STATE OF ALABAMA
MADISON COUNTY

A BILL
TO BE ENTITLED
AN ACT

Pertaining to Madison County; to authorize the governing body of said county to appropriate funds for the use and benefit of Fellowship Center, Inc., a non-profit corporation, formerly known as Senior Citizens Activities Center Huntsville-Madison County, Alabama, a non-profit corporation.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Madison County is hereby authorized to appropriate funds for the use and benefit of Fellowship Center, Inc., a non-profit corporation, organized under the laws of the State of Alabama, located at Huntsville in Madison County, Alabama.

Section 2. The books and records of said corporation shall be open to inspection by the governing body of Madison County at all reasonable times.

Section 3. All laws and parts of laws in conflict herewith are hereby repealed.

Section 4. This act shall become effective upon its approval by the governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 9, 16, 23 and 30th, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me May 21st, 1973.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Lutz, Hearn, Grainger and Hale (with notice and proof):

H. 599. Relating to Madison County, to authorize the governing body of said county to pay certain expenses incurred by the Probate Judge, Tax Assessor and Tax Collector of said county in connection with their duties.

Local Legislation No. 4.

Notice and Proof H. 599:

STATE OF ALABAMA
MADISON COUNTY

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County, to authorize the governing body of said county to pay certain expenses incurred by the Probate Judge, Tax Assessor and Tax Collector of said county in connection with their duties.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Madison County is hereby authorized to incur and pay the following expenses:

a) To or for the Probate Judge of said county, for meals, travel and lodging expenses incurred by that official within the State of Alabama while attending meetings and conferences intended to promote the skill and competence of the Probate Judge, for educational programs designed to inform probate judges, for professional dues and assessments, and professional journals; provided, however, that the expenditures hereby authorized to or for the Probate Judge shall not exceed Five Hundred (\$500.00) Dollars in any one fiscal year.

b) To or for the Tax Assessor of said county, for meals, travel and lodging expenses incurred by that official within the State of Alabama while attending meetings and conferences intended to promote the skill and competence of the Tax Assessor, for educational programs designed to inform tax assessors, for professional dues and assessments, and professional journals; provided, however, that the expenditures hereby authorized of or for the Tax Assessor shall not exceed Five Hundred (\$500.00) Dollars in any one fiscal year.

c) To or for the Tax Collector of said county, for meals, travel and lodging expenses incurred by that official within the State of Alabama while attending meetings and conferences intended to promote the skill and competence of the Tax Collector, for educational programs designed to inform tax collectors for professional dues and assessments, and professional journals; provided, however, that the expenditures hereby authorized to or for the Tax Collector shall not exceed Five Hundred (\$500.00) Dollars in any one fiscal year.

Section 2. The governing body of said county is further authorized to expend a sum not to exceed One Thousand (\$1,000.00) Dollars per year to reimburse the Tax Collector for travel performed within the county in collecting taxes and selling personal property for the payment of delinquent taxes.

Section 3. Any payments made by the governing body of said county under the authority of this act shall be made on the basis of vouchers submitted to said governing body in the form prescribed by it, and all travel expenses shall be at the rate authorized by law for state employees.

Section 4. In any case in which governing body of said county is authorized to disburse or expend funds to or for the Probate Judge, Tax Assessor or Tax Collector, such funds may, subject to the limitations of this act, be expended in like manner for clerks and other employees of those designated officials, but in no event shall the amounts hereinabove authorized for each of such officials be exceeded in any fiscal year.

Section 5. All laws and parts of laws in conflict herewith are repealed.

Section 6. This act is severable, and if any part hereof is held to be unconstitutional, it shall not be construed to affect those parts which remain.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise become a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 9, 16, 23 and 30, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me May 21, 1973.

OPAL H. DILWORTH,
Notary Public.

REGULAR SESSION
3rd Day

279

By Messrs. Grainger, Lutz and Hale:

H. 600. To amend Section 665(2) of Article 5a of Chapter 20, Title 51, Code of Alabama, 1940, as amended, so as to exempt from the operation of said excise tax "motor fuel" used in motor vehicles devoted exclusively by a municipality or a county to road or street maintenance within said city or county, or to the collection and disposal of garbage, refuse, trash, or other waste material.

Ways and Means.

By Mr. Wood:

H. 601. Relating to the repeal of Code of Alabama (1940), Title 13, Section 406, pertaining to default judgments in justice of the peace courts.

Judiciary.

By Mr. Wood:

H. 602. To amend Section 9 of Act No. 2052 of the 1971 Legislature of Alabama so as to limit the liability of buyers of used goods valued at \$3000 or less.

Judiciary.

By Mr. Wood:

H. 603. Relating to the admissibility of itemized doctor's charges, hospital charges and drug expenses incurred during the treatment of injury or illness.

Judiciary.

By Mr. Wood:

H. 604. Creating a separate offense for driving a motor vehicle on public highways after the expiration of revocation imposed by the Director of Public Safety, but prior to compliance with other administrative requirements.

Judiciary.

By Mr. Wood:

H. 605. Relating to the repossession of personalty purchased under the terms of a security agreement.

Judiciary.

By Mr. Wood:

H. 606. To amend further Section 630, Title 7, of Code of Alabama 1940, which relates to exemptions to garnishing of wages, so as to provide that the amount of said exemption shall never be less than the amount specified in the federal statutes.

Judiciary.

By Messrs. Therrell, Callahan, Perloff and Wood:

H. 607. To provide that the fire fighters or police officers of any city having a population of not less than 175,000 nor more than 300,000 according

to the most recent federal decennial census, may by election designate bargaining agents to represent each in respect to the wages the City employing each shall pay each and in respect to other conditions of employment; to provide for calling and conducting elections to certify bargaining agents and elections to decertify bargaining agents to authorize the Director of Labor of the State of Alabama to establish rules and regulations governing the call of, notice of, and conduct of such elections; to provide for collective bargaining proceedings to be instituted by the bargaining agents or the officers or body empowered to establish wages for the fire fighters or police officers; to provide for compulsory arbitration; to provide for the appointment of arbitrators and define their jurisdiction and authority; to provide that it shall be unlawful for a fire fighter or police officer to strike or engage in any work stoppage or slowdown, and that it shall be unlawful for any bargaining agent, or any officer or body empowered to establish wages for fire fighters or police officers to fail to bargain in good faith, in accordance with this Act; to provide penalties for any person violating this Act; and to repeal all laws or parts of laws, whether general, special or local, in conflict with this Act.

Local Legislation No. 3.

By Messrs. Collins, Hobbie, Callahan, Waggoner, Mims, Kinsey, Therrell, Bowers, McBride, Cottingham, Burgess, Parker, Dill, Grey (D), Naramore, Boutwell, Owens, Hearn and Jones (F):

H. 608. To provide for periodic re-examination of licensed drivers in Alabama once in each four years, to provide for the manner and extent of such re-examination; to provide for a driver license, a chauffeur license, a motorcycle license, and to provide for the manner of test therefor, and to authorize the director of Public Safety to issue such licenses; to provide that licenses issued by the Department of Public Safety shall bear a photographic likeness in color of the licensed driver, to provide for the developing, installation and use of a system of color photographic driver license forms.

Highway Safety.

By Messrs. Coshatt, Waldrop, Gray (F), Bank, Agee, Doss and King:

H. 609. Establishing, providing for appointment to and operation of Board of Radiologic Technologists Examiners; to provide for educational and training qualification standards for radiologic technologists; to provide for examination and licensing of and annulment, revocation, or suspension of licenses of radiologic technologists; providing for the enforcement of this Act; providing for and prescribing penalties and fees.

Health.

By Messrs. Adams, Flippo and Naramore:

H. 610. To create a committee to study and review state government audit agencies and audit practices; to provide for the appointment of its members and to fix their terms of office; to prescribe the functions and duties of the committee; to provide for the compensation of its members and payment of its expenses; and to make an appropriation for the use of the committee.

Ways and Means.

By Mr. Brassell:

H. 611. To provide for an appropriation from the Alabama special educational trust fund to be used for the construction, erection and equipping of a junior college to be built in Russell County, Alabama and to provide that any funds not expended in one fiscal year shall be carried forward and expended in the next fiscal year.

Ways and Means.

By Messrs. Nettles, Taylor, Therrell, Hale, Turner, Cottingham, Agee, Warren, Hardin, Easters, Lang, Stokes and Jones (F):

H. 612. To amend further Code of Alabama 1940, Title 17, Section 350, so as to forbid the printing of a party loyalty pledge on the ballots used in primary elections.

Constitution and Elections.

By Messrs. Hale, Dill, Brassell and Barkett:

H. 613. To promote in this state the use and return of uniform reusable containers by establishing designated classes of such containers, by requiring certain refund values of such containers and the indication of the refund value upon such containers; to prohibit the sale of metal containers with detachable opening devices, and for penalties for violation of certain sections; to provide for the establishment of redemption centers for the return of empty containers and for the regulation of the redemption centers by the Alcoholic Beverage Control Board; and to provide that the Senate Finance and Taxation and House Ways and Means Committees cause to be conducted a study of the economic impact, problems, effectiveness, and costs incurred by the passage of this Act.

Ways and Means.

By Messrs. Naramore, Grey (D), Reid (R), Crowe, Adams, Kinsey, Benton, May, Wise, Bassett, Hardin, Therrell, Callahan, Headley, Taylor, Warren, Agee, Barkett, Parker, Cottingham, Mims, Brassell, O'Daniel, Owens, Jackson, Connell, Edwards, Coshatt, Carnes and Chesnut:

H. 614. To further amend Section 1 of Act No. 533, S.B. 322, Regular Session 1947, (Acts 1947, p. 388), as amended, which Act relates to the compensation of registrars in all counties of this state, so as to increase the compensation of each registrar for each days' attendance upon the sessions of the board of registrars.

Ways and Means.

By Messrs. Naramore, Grey (D), Reid (R), Doss, Kinsey, Crowe, Wise, Hardin, Bassett, Therrell, Callahan, Waggoner, Headley, Dill, Parker, Wallace, Cottingham, Warren, Agee, Mims, Smith (P), Barkett, Brassell, O'Daniel, Owens, Jackson, Connell, Smith (K), Coshatt, Carnes, Chesnut, Timmons, Jones (E), Gafford and Boles:

H. 615. To provide that certain school lunchroom managers, their assistants and workers may become members of the Teachers' Retirement System of Alabama and shall receive all the benefits provided for teachers under the provisions of the Code of Alabama 1940, Title 52, Chapter 14; to place

the duty of collecting the employees' contributions to the Teachers' Retirement System on the county or city board of education employing such school lunchroom managers and assistants and also the duty of remitting to the secretary-treasurer of the Retirement System the employees' contributions to the Retirement System; to provide for the payment of the employer contributions as necessary and providing for prior service of such school lunchroom managers, assistants and workers out of funds in the Alabama Special Educational Trust Fund, and to make an appropriation to carry out the provisions of this Act.

Ways and Means.

By Messrs. Grainger, Lutz, King, Hearn, Cross, Flippo, Hill, Reynolds and Goodwin:

H. 616. To further amend Title 51, Section 388, Code of Alabama 1940, as amended, which relates to exemptions from the state income tax on individuals so as to exempt retired employees of the Tennessee Valley Authority from state income tax.

Ways and Means.

By Mr. Grainger:

H. 617. To amend Act No. 1260, Regular Session, 1971; to provide criminal penalties for willful or negligent violations of said act; to provide criminal penalties for knowingly making false statements, representations, or certifications in material filed or required to be maintained under said act, and for falsifying, tampering, or knowingly rendering inaccurate monitoring devices or methods required to be maintained under said act; and to provide an effective date.

Conservation.

By Mr. Stokes:

H. 618. To amend Section 6 of Act No. 1127, General Acts of Alabama, approved September 13, 1969 (Acts of Alabama, 1969, p. 2089 et seq.).

Public Welfare.

By Messrs. Timmons, Adwell, Doss, Waggoner, Erdreich, Boutwell, McBride, Bowers, Falkenburg, Boles, Jones (E), Dill, Gafford, Weeks, Ellis and Wallace:

H. 619. To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959, (Ala. Acts, 1959, p. 1376) as amended by Act No. 991 of the Regular Session of the Legislature of Alabama of 1971, approved September 7, 1971 (Ala. Acts, 1971, p. 1783), and amended by Act No. 1576 of the Regular Session of the Legislature of Alabama of 1971, approved September 17, 1971 (Ala. Acts, 1971 p. 2692), which act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts 1951, p. 1579) as amended, which 1951 Act established a pension sys-

tem for officers and employees of each city of the state having a population of 250,000 or more, according to the latest or any subsequent federal census.

Local Legislation No. 2.

By Messrs. Timmons, Adwell, Doss, Waggoner, Erdreich, Boutwell, McBride, Bowers, Falkenburg, Boles, Jones (E), Dill, Gafford, Weeks, Ellis and Wallace:

H. 620. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq) entitled as amended "An act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such systems applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority to any county in which any such city may be located."

Local Legislation No. 2.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Mathews and Merrill:

H. J. R. 45. COMMENDING THE JACKSONVILLE STATE UNIVERSITY BASEBALL TEAM

WHEREAS the Jacksonville State University Baseball Team won the Gulf South Championship on the weekend of May 11th and 12th in Jacksonville, Alabama and won the N. C. A. A. South Regional Championship by its win over Louisiana State University at New Orleans on May 19th; and

WHEREAS by its defeat of Bellarmine College of Louisville, Kentucky, Tuskegee Institute of Tuskegee, Alabama, and Louisiana State University at New Orleans, the Jacksonville State University Baseball Team has won the right to qualify in World Series N. C. A. A. College Division Baseball to be held in Springfield, Illinois June 1 through June 4, 1973; and

WHEREAS Jacksonville State's team is composed of highly talented young men who through long hours of hard work, practice and concerted team effort, under the skillful coaching of Coach Rudy Abbott, have developed into an exceptionally fine baseball team; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we highly commend the Jacksonville State University Baseball Team and Coach Abbott for their outstand-

ing spirit, ability and efforts which have already won for them the Gulf South Regional Conference Championship and the N. C. A. A. South Regional Tournament. We are highly gratified by having our State and area represented by such a fine group of young men, and wish them every success upon their entry in the World Series N. C. A. A. College Division of Baseball.

RESOLVED FURTHER That copies of this resolution be sent to the Jacksonville State University Baseball Team, and to Coach Rudy Abbott.

On motion of Mr. Mathews, the rules were suspended and the resolution, H. J. R. 45, was adopted.

Also:

By Messrs. Turner, Doss, Jones (F), Cottingham, Erdreich and Falkenburg:

H. R. 46. WHEREAS, the general welfare of the people of the State of Alabama requires that an orderly process of bills be considered by the Alabama Legislature; and,

WHEREAS, the Alabama House of Representatives has, in a spirit of progress for the State of Alabama, undertaken to establish and maintain an orderly process of bills for the general welfare of the people; and,

WHEREAS, in areas of legislative consideration, beyond the confines and authority of the Alabama House of Representatives, practices occur which restrict and retard an orderly process of bills for the general welfare of the people;

NOW, THEREFORE, BE IT RESOLVED That there shall be held at the end of each legislative week a report of the actions of the Alabama House of Representatives which show the fulfillment, by the Alabama House of Representatives, of that requirement to establish and maintain an orderly process of bills for the general welfare of the people.

NOW, THEREFORE, BE IT FURTHER RESOLVED That the Speaker of the House, the Speaker Pro Temp of the House and the Chairman of the House Rules Committee shall represent this body in making the above described House Action Report; or, in the absence of the above mentioned, any House member designated by the above mentioned, and willingly accepting the responsibility, shall make that week's House Action Report.

On motion of Mr. Turner, the rules were suspended and the resolution, H. R. 46, was adopted.

Also:

By Mr. Weeks:

H. J. R. 47. INVITING ADMIRAL THOMAS H. MOORER TO SPEAK TO A JOINT SESSION OF THE ALABAMA LEGISLATURE.

WHEREAS Admiral Thomas Hinman Moorer was born in Mount Willing, Alabama, the son of the late Dr. R. R. Moorer and the late Mrs. Hulda Moorer, graduated Valedictorian from Cloverdale High School in Montgomery, Alabama, and graduated from the United States Naval Academy, was commissioned ensign, designated Naval Aviator, and through subsequent promotions attained the rank of Admiral, is now serving as Chairman of the

Joint Chiefs of Staff, and who during his distinguished military career has seen duty at sea in cruisers, aircraft carriers, fighter squadrons, and patrol squadrons, has commanded a bombing squadron, a seaplane tender, and carrier division, has also served as Commander of the Seventh Fleet, Commander-in-Chief of the Pacific Fleet, Commander-in-Chief of the Atlantic Fleet, and as Chief of Naval Operations, holds 41 medals and unit awards including nine individual decorations from the United States, and 17 from foreign nations and also including the Defense Distinguished Service Medal, Distinguished Service Medal with three Gold Stars, Silver Star Medal, Legion of Merit, Distinguished Flying Cross, and Purple Heart, is the holder of numerous other special and honorary awards, is truly an outstanding American, and who Alabama is proud to call one of her native sons; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE OF ALABAMA CONCURRING, That an invitation is hereby cordially extended to Admiral Thomas H. Moorer to speak to a joint meeting of the two Houses of the Legislature at his convenience during the regular session of the Legislature.

BE IT FURTHER RESOLVED That the Clerk of the House shall transmit, or designate a member of the House, the secretary thereof, or some other person to transmit, this invitation to Admiral Moorer.

On motion of Mr. Weeks, the rules were suspended and the resolution, H. J. R. 47, was adopted.

CO-SPONSORS ADDED

Unanimous consent was granted Messrs. Reed (T) and Gray (F) to have their names added as co-sponsors of the resolution, H. J. R. 47.

Also:

By Messrs. Jones (F), Taylor, Harris and Hobbie:

H. J. R. 48. REQUESTING THE ADMINISTRATION TO LOOK INTO THE POSSIBILITY OF HAVING A BUS RUN FROM CRAMTON BOWL PARKING LOT TO THE STATE CAPITOL COMPLEX ON A FREQUENT SCHEDULE TO ALLEVIATE THE PARKING SITUATION.

WHEREAS, the parking problem for state employees has become critical due to the influx of legislators and visitors in connection with the current session of the legislature; and

WHEREAS, this problem might very well be eliminated by the running of a state bus from Cramton Bowl parking lot to the State Capitol Complex on a frequent schedule; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Governor have his finance director or other appropriate state official investigate the feasibility of running a state bus from the Cramton Bowl parking lot to the State Capitol Complex.

BE IT FURTHER RESOLVED, That the Governor take any other actions that would tend to alleviate the parking situation in and about the capitol complex.

BE IT FURTHER RESOLVED, That the Clerk of the House shall deliver copies of this Resolution to the Governor, to the Finance Director and the President of the State Employees Association.

On motion of Mr. Jones (F), the rules were suspended and the resolution, H. J. R. 48, was adopted.

Also:

By Mr. May:

H. R. 49. RESOLUTION INVITING THE JEFFERSON DAVIS STATE JUNIOR COLLEGE CHOIR TO SING FOR THE HOUSE OF REPRESENTATIVES.

WHEREAS the Jefferson Davis State Junior College Choir has won, through national competition and by selective audition, the right to participate in competition at the International Youth Music Festival to be held this summer from July twelfth through July sixteenth in Gratz, Austria; and

WHEREAS this college choir has the distinct honor of being one of a total of thirty groups throughout the entire United States and Europe to be invited to compete in this International Youth Music Festival; and

WHEREAS the Jefferson Davis State Junior College Choir will be engaged in vocal competition with other choirs for almost fifty minutes in Gratz, Austria and will also present concerts in surrounding villages during their stay in the area; and

WHEREAS the splendid voices contained in this choir are blended in harmonious tones under the skillful leadership of Dr. Joe Tarry who has been choir director at Jefferson Davis State Junior College at Brewton for four successful years; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we commend the Jefferson Davis State Junior College Choir and its director for the signal honor which they have earned, enabling them to participate in international competition, and we most cordially invite them to sing for this House at twelve o'clock noon on next Thursday, May the twenty-fourth.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Dr. Joe Tarry.

On motion of Mr. May, the rules were suspended and the resolution, H. R. 49, was adopted.

Also:

By Mr. Turnham:

H. J. R. 50. WHEREAS, Dean O. D. Turner has been associated with the Auburn University School of Business as its Dean since 1968, being in effect its "father" since he was the first and only Dean of the School. During this short span of years, through his efforts the School of Business has grown to over 2,000 students, making it the fourth largest school on campus and Dean Turner has moved the school toward professional accreditation; and,

WHEREAS, within the School of Business, Dean Turner has established four active departments and an extension unit, and through his leadership evolved the creation of the Advisory Council of the School of Business as well as the creation of the continuing program, "The Business Tomorrow Conference"; and,

WHEREAS, this man of great integrity discharged his duties as Dean of the School of Business in such a way as to bring respect and recognition to Auburn University through his many accomplishments, and as a stern defender of our American competitive system of free enterprise, he fought untiringly for the teaching of this system. Dean Turner helped the School undergo major growth while maintaining a high regard for the impact of transformation on the staff members involved; and,

WHEREAS, at the end of the current academic year Dean O. D. Turner will resign from Auburn University's School of Business which will be a great loss to all of the citizens of Alabama.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that we honor and commend Dean O. D. Turner for his outstanding leadership in the guidance of the School of Business since 1968, and the legislature of the State of Alabama gives formal expression of its appreciation for his sincere devotion to the School of Business.

RESOLVED, FURTHER, that a copy of this resolution be transmitted to Dean O. D. Turner, extending to him our sincere gratitude for a job well done and that a copy of this resolution be transmitted to the President of Auburn University.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 50, on the Clerk's desk for one legislative day.

Also:

By Messrs. Erdreich, Doss, Timmons, Falkenburg, Gafford, Boles, Jones (E), Ellis, McBride, Dill, Adwell, Waggoner and Boutwell:

H. J. R. 51. WHEREAS, a new ten-story apartment housing facility on the campus of the University of Alabama in Birmingham on 9th Avenue, South at 16th Street will be centrally located in a portion of the campus containing fifty-five and one-half blocks made available to the University of Alabama in Birmingham through the Urban Renewal Program of the United States Department of Housing and Urban Development; and,

WHEREAS, Mr. Hugh Denman, Executive Director of the Housing Authority of the Birmingham District has furnished primary leadership in the development of urban renewal projects which have made these properties available to the University; and

WHEREAS, The Board of Trustees of the University of Alabama has previously authorized the designation of this building as "Denman Hall"; and,

WHEREAS, it is highly appropriate to recognize the leadership and dedication of Mr. Denman to the University of Alabama in Birmingham and to the City of Birmingham; and,

WHEREAS, under Mr. Denman's leadership public housing has almost doubled in the City of Birmingham since 1960, and his reputation as one of the outstanding housing directors in America has brought great distinction to the City of Birmingham and to the State of Alabama;

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the new ten-story apartment housing facility on the campus of the University of Alabama in Birmingham on 9th Avenue, South at 16th Street is hereby designated "Denman Hall" in honor of Mr. Hugh Denman.

BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is hereby directed to send a copy of this resolution to Mr. Denman.

The resolution, H. J. R. 51, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 32. MOURNING THE DEATH OF SAMUEL H. BANK, FATHER OF OUR BELOVED COLLEAGUE, REPRESENTATIVE BERT BANK.

Also:

H. J. R. 33. URGING THE PLANTING OF FAMILY GARDENS.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING

And the bill:

H. 195. Relating to the governing body of Baldwin County; amending Section 1 of Act No. 239, H. 597, Regular Session 1931 (Local Acts of 1931, p. 100), as amended, which act creates the county commission of Baldwin County in lieu of the board of revenue of said county; so as to provide further for the rearrangement and redivision of the commissioners' districts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Messrs.:	Benton	Carnes	Cottingham
Adams	Boles	Carter	Crawford
Adwell	Boutwell	Casey	Cross
Agee	Bowers	Chesnut	Culver
Bank	Brassell	Collins	Dill
Barkett	Burgess	Connell	Doss
Bassett	Callahan	Coshatt	Downing

REGULAR SESSION
3rd Day

289

Drake	Hill	Mims	Stewart
Easters	Hobbie	Naramore	Stokes
Edwards	Jackson	Nettles	Stubbs
Erdreich	Jones (E)	O'Daniel	Taylor
Falkenburg	Jones (F)	Owens	Therrell
Fite	King	Parker	Timmons
Flippo	Kinsey	Pruitt	Turner
Gafford	Lang	Reed (T)	Turnham
Goodwin	Lutz	Reid (R)	Waggoner
Grainger	McBride	Reynolds	Waldrop
Grey (D)	McCluskey	St. John	Warren
Hale	Mathews	Smith (K)	Williams
Hardin	May	Smith (P)	Wise
Headley	Merrill	Snell	Wynot
Hearn			

—84

And the bill:

H. 207. To amend further Section 7 of Act No. 34, H. B. 225, Extra Session 1932, (Local Acts, 1932, p. 13), as amended, which act relates to the County Superintendent of Education of Clarke County, so as to increase the expense allowances of said Superintendent of Education and to provide that said expense allowance may be incurred while said Superintendent is out of the county or state.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Messrs.:	Cottingham	Hearn	Reid (R)
Adams	Crawford	Hill	Reynolds
Adwell	Cross	Hobbie	Robertson
Agee	Culver	Jackson	St. John
Bank	Dill	Jones (E)	Smith (K)
Barkett	Doss	Jones (F)	Snell
Bassett	Downing	King	Stewart
Benton	Drake	Lang	Stokes
Boles	Easters	Lutz	Stubbs
Boutwell	Edwards	McBride	Taylor
Bowers	Erdreich	McCluskey	Therrell
Brassell	Falkenburg	Manley	Timmons
Burgess	Flippo	Mathews	Turner
Callahan	Gafford	May	Turnham
Carnes	Goodwin	Merrill	Waggoner
Carter	Grainger	Mims	Waldrop
Casey	Gray (F)	Naramore	Warren
Chesnut	Grey (D)	Nettles	Weeks
Collins	Hale	Owens	Williams
Connell	Hardin	Parker	Wise
Coshatt	Headley	Pruitt	Wynot

—83

And the bill:

H. 242. Relating to Etowah County; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 1.

Yeas:

Messrs.:	Cottingham	Hill	Reid (R)
Adams	Crawford	Hobbie	Reynolds
Adwell	Cross	Jackson	Robertson
Agee	Culver	Jones (E)	St. John
Bank	Dill	Jones (F)	Smith (K)
Barkett	Downing	King	Snell
Bassett	Drake	Lang	Stewart
Benton	Easters	Lutz	Stokes
Boles	Edwards	McBride	Stubbs
Boutwell	Erdreich	McCluskey	Taylor
Bowers	Falkenburg	Manley	Therrell
Brassell	Flippo	Mathews	Timmons
Burgess	Gafford	May	Turnham
Callahan	Goodwin	Merrill	Waggoner
Carnes	Grainger	Mims	Waldrop
Carter	Gray (F)	Naramore	Warren
Casey	Grey (D)	Nettles	Weeks
Chesnut	Hale	Owens	Williams
Collins	Hardin	Parker	Wise
Connell	Headley	Pruitt	Wynot
Coshatt	Hearn		

—81

Nays: Mr. Turner.

—1

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for the Journal to show Mr. Reed (T) voting "yea" on all House Bills.

BILLS ON THIRD READING RESUMED

And the bill:

H. 288. To increase the salary range for the stenographic secretary for the district attorney and circuit judge of the Thirty-Seventh Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Messrs.:	Brassell	Crawford	Fite
Adams	Burgess	Cross	Flippo
Adwell	Callahan	Culver	Gafford
Agee	Carnes	Dill	Goodwin
Bank	Carter	Doss	Grainger
Barkett	Casey	Downing	Gray (F)
Bassett	Chesnut	Drake	Grey (D)
Benton	Collins	Easters	Hale
Boles	Connell	Edwards	Hardin
Boutwell	Coshatt	Erdreich	Headley
Bowers	Cottingham	Falkenburg	Hearn

REGULAR SESSION
3rd Day

291

Hill	Mathews	Reynolds	Timmons
Hobbie	May	Robertson	Turner
Jackson	Merrill	St. John	Turnham
Jones (E)	Mims	Smith (K)	Waggoner
Jones (F)	Naramore	Snell	Waldrop
King	Nettles	Stewart	Warren
Lang	Owens	Stokes	Weeks
Lutz	Parker	Stubbs	Williams
McBride	Pruitt	Taylor	Wise
McCluskey	Reid (R)	Therrell	Wynot
Manley			

—84

And the bill:

H. 301. Relating to Chambers County: To create and establish in Chambers County, in lieu of the County Court and the Juvenile Court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Civil and Criminal Court of Chambers County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible therein; providing for the disposition of costs, charges, commissions, fines and forfeitures collected therein; providing a special trial tax on civil and criminal cases for the establishment and maintenance of a county law library; abolishing the County Court and the Juvenile Court of Chambers County; and providing for the transfer and trial of cases pending in the County Court of Chambers County, the former Justice of Peace Courts, and in the Juvenile Court of Chambers County, at the time this Act takes effect, to the Civil and Criminal Court of Chambers County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Messrs.:	Collins	Goodwin	Manley
Adams	Connell	Grainger	Mathews
Adwell	Coshatt	Gray (F)	May
Agee	Cottingham	Grey (D)	Merrill
Bank	Crawford	Hale	Mims
Barkett	Cross	Hardin	Naramore
Bassett	Culver	Headley	Nettles
Benton	Dill	Hearn	Owens
Boles	Doss	Hill	Parker
Boutwell	Downing	Hobbie	Pruitt
Bowers	Drake	Jackson	Reid (R)
Brassell	Easters	Jones (E)	Reynolds
Burgess	Edwards	Jones (F)	Robertson
Callahan	Erdreich	King	St. John
Carnes	Falkenburg	Lang	Smith (K)
Carter	Fite	Lutz	Snell
Casey	Flippo	McBride	Stewart
Chesnut	Gafford	McCluskey	Stokes

3rd Day

Stubbs
Taylor
Therrell
Timmons

Turner
Turnham
Waggoner

Waldrop
Warren
Weeks

Williams
Wise
Wynot

—84

And the bill:

H. 302. Relating to Chambers County; providing further for the compensation of members of the board of registrars.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Messrs.:
Adams
Adwell
Agee
Bank
Barkett
Bassett
Benton
Boles
Boutwell
Bowers
Brassell
Burgess
Callahan
Carnes
Carter
Casey
Chesnut
Collins
Connell
Coshatt
Cottingham

Crawford
Cross
Culver
Dill
Doss
Downing
Drake
Easters
Edwards
Erdreich
Falkenburg
Fite
Flippo
Gafford
Goodwin
Grainger
Gray (F)
Grey (D)
Hale
Hardin
Headley

Hearn
Hill
Hobbie
Jackson
Jones (E)
Jones (F)
King
Lang
Lutz
McBride
McCluskey
Manley
Mathews
May
Merrill
Mims
Naramore
Nettles
Owens
Parker
Pruitt

Reid (R)
Reynolds
Robertson
St. John
Smith (K)
Snell
Stewart
Stokes
Stubbs
Taylor
Therrell
Timmons
Turner
Turnham
Waggoner
Waldrop
Warren
Weeks
Williams
Wise
Wynot

—84

And the bill:

H. 303. To repeal Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241), relating to counties having populations of not less than 35,000 nor more than 38,000, according to the last federal decennial census, which act abolishes the Court of County Commission of such counties and creates in lieu thereof a County Commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Messrs.:
Adams
Adwell
Agee
Bank
Barkett
Bassett

Benton
Boles
Boutwell
Bowers
Brassell
Burgess
Callahan

Carnes
Carter
Casey
Chesnut
Collins
Connell
Coshatt

Cottingham
Crawford
Cross
Culver
Dill
Doss
Downing

REGULAR SESSION
3rd Day

293

Drake	Hearn	Merrill	Stokes
Easters	Hill	Mims	Stubbs
Edwards	Hobbie	Naramore	Taylor
Erdreich	Jackson	Nettles	Therrell
Falkenburg	Jones (E)	Owens	Timmons
Fite	Jones (F)	Parker	Turner
Flippo	King	Pruitt	Turnham
Gafford	Lang	Reid (R)	Waggoner
Goodwin	Lutz	Reynolds	Waldrop
Grainger	McBride	Robertson	Warren
Gray (F)	McCluskey	St. John	Weeks
Grey (D)	Manley	Smith (K)	Williams
Hale	Mathews	Snell	Wise
Hardin	May	Stewart	Wynot
Headley			

—84

And the bill:

H. 304. Relating to Chambers County; abolishing the Court of County Commission of the county, and creating in lieu thereof the Chambers County Commission; dividing such county into commissioner's districts; providing for the election, terms and qualifications of the commissioners; providing that the probate judge shall have no duties with respect to the county governing body; fixing the compensation of the commissioners; providing for retroactive effect of this Act; and validating all acts of and compensation paid to said commission under the provisions of Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Messrs.:	Crawford	Hearn	Reid (R)
Adams	Cross	Hill	Reynolds
Adwell	Culver	Hobbie	Robertson
Agee	Dill	Jackson	St. John
Bank	Doss	Jones (E)	Smith (K)
Barkett	Downing	Jones (F)	Snell
Bassett	Drake	King	Stewart
Benton	Easters	Lang	Stokes
Boles	Edwards	Lutz	Stubbs
Boutwell	Erdreich	McBride	Taylor
Bowers	Falkenburg	McCluskey	Therrell
Brassell	Fite	Manley	Timmons
Burgess	Flippo	Mathews	Turner
Callahan	Gafford	May	Turnham
Carnes	Goodwin	Merrill	Waggoner
Carter	Grainger	Mims	Waldrop
Casey	Gray (F)	Naramore	Warren
Chesnut	Grey (D)	Nettles	Weeks
Collins	Hale	Owens	Williams
Connell	Hardin	Parker	Wise
Coshatt	Headley	Pruitt	Wynot
Cottingham			

—84

And the bill:

H. 305. Relating to Chambers County; relieving the chief clerk of the probate judge of such county of any duties as purchasing agent for the coun-

3rd Day

ty, and authorizing the governing body to appoint another such purchasing agent; repealing conflicting laws and specifically repealing Act No. 495, H. 929, Regular Session 1953 (Acts 1953, p. 623).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Messrs.:	Crawford	Hearn	Reid (R)
Adams	Cross	Hill	Reynolds
Adwell	Culver	Hobbie	Robertson
Agee	Dill	Jackson	St. John
Bank	Doss	Jones (E)	Smith (K)
Barkett	Downing	Jones (F)	Snell
Bassett	Drake	King	Stewart
Benton	Easters	Lang	Stokes
Boles	Edwards	Lutz	Stubbs
Boutwell	Erdreich	McBride	Taylor
Bowers	Falkenburg	McCluskey	Therrell
Brassell	Fite	Manley	Timmons
Burgess	Flippo	Mathews	Turner
Callahan	Gafford	May	Turnham
Carnes	Goodwin	Merrill	Waggoner
Carter	Grainger	Mims	Waldrop
Casey	Gray (F)	Naramore	Warren
Chesnut	Gray (D)	Nettles	Weeks
Collins	Hale	Owens	Williams
Connell	Hardin	Parker	Wise
Coshatt	Headley	Pruitt	Wynot
Cottingham			

—84

And the bill:

H. 306. To repeal Act No. 1696, H. 2309, Regular Session 1971 (Acts 1971, p. 2856), an act relating to all counties having populations of not less than 35,000 nor more than 38,000, according to the last federal decennial census; relieving the chief clerk of the probate judge of any duties as purchasing agent for the county, and authorizing the governing body to appoint another purchasing agent.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Messrs.:	Brassell	Crawford	Fite
Adams	Burgess	Cross	Flippo
Adwell	Callahan	Culver	Gafford
Agee	Carnes	Dill	Goodwin
Bank	Carter	Doss	Grainger
Barkett	Casey	Downing	Gray (F)
Bassett	Chesnut	Drake	Gray (D)
Benton	Collins	Easters	Hale
Boles	Connell	Edwards	Hardin
Boutwell	Coshatt	Erdreich	Headley
Bowers	Cottingham	Falkenburg	Hearn

REGULAR SESSION
3rd Day

295

Hill	Mathews	Reynolds	Timmons
Hobbie	May	Robertson	Turner
Jackson	Merrill	St. John	Turnham
Jones (E)	Mims	Smith (K)	Waggoner
Jones (F)	Naramore	Snell	Waldrop
King	Nettles	Stewart	Warren
Lang	Owens	Stokes	Weeks
Lutz	Parker	Stubbs	Williams
McBride	Pruitt	Taylor	Wise
McCluskey	Reid (R)	Therrell	Wynot
Manley			

—84

And the bill:

H. 308. To provide, in Chambers County for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within said county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; to accord the authority exemption from state, county and city taxation; to provide that this act shall be given retroactive effect to August 19, 1969; and to validate the incorporation of, and all acts done by, any authority heretofore incorporated or attempted to be incorporated under the provisions of Act No. 437, H. 774, approved August 19, 1969 (Acts 1969, p. 864), as amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Messrs.:	Casey	Erdreich	Jones (E)
Adams	Chesnut	Falkenburg	Jones (F)
Adwell	Collins	Fite	King
Agee	Connell	Flippo	Lang
Bank	Coshatt	Gafford	Lutz
Barkett	Cottingham	Goodwin	McBride
Bassett	Crawford	Grainger	McCluskey
Benton	Cross	Gray (F)	Manley
Boles	Culver	Grey (D)	Mathews
Boutwell	Dill	Hale	May
Bowers	Doss	Hardin	Merrill
Brassell	Downing	Headley	Mims
Burgess	Drake	Hearn	Naramore
Callahan	Easters	Hill	Nettles
Carnes	Edwards	Hobbie	Owens
Carter	Ellis	Jackson	Parker

3rd Day

Pruitt	Snell	Timmons	Warren
Reid (R)	Stewart	Turner	Weeks
Reynolds	Stokes	Turnham	Williams
Robertson	Stubbs	Waggoner	Wise
St. John	Taylor	Waldrop	Wynot
Smith (K)	Therrell		

—85

And the bill:

H. 307. To repeal Act No. 437, H. 774, Regular Session 1969 (Acts 1969, p. 864), which act provides for the incorporation and management of an authority for the purpose of leasing, owning or acquiring and operating coliseums, parks, exhibits, fairgrounds and other facilities in all counties having populations of not less than 37,000 nor more than 41,000, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Messrs.:	Crawford	Hearn	Reid (R)
Adams	Cross	Hill	Reynolds
Adwell	Culver	Hobbie	Robertson
Agee	Dill	Jackson	St. John
Bank	Doss	Jones (E)	Smith (K)
Barkett	Downing	Jones (F)	Snell
Bassett	Drake	King	Stewart
Benton	Easters	Lang	Stokes
Boles	Edwards	Lutz	Stubbs
Boutwell	Ellis	McBride	Taylor
Bowers	Erareich	McCuskey	Therrell
Brassell	Falkenburg	Manley	Timmons
Burgess	Fite	Mathews	Turner
Callahan	Flipppo	May	Turnham
Carnes	Gafford	Merrill	Waggoner
Carter	Goodwin	Mims	Waldrop
Casey	Grainger	Naramore	Warren
Chesnut	Gray (F)	ettles	Weeks
Collins	Grey (D)	Owens	Williams
Connell	Hale	Parker	Wise
Coshatt	Hardin	Pruitt	Wynot
Cottingham	Headley		

—85

And the bill:

H. 117. To authorize establishment of branch banks in Dallas County.
Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Messrs.:	Barkett	Bowers	Carter
Adams	Bassett	Brassell	Casey
Adwell	Benton	Burgess	Chesnut
Agee	Boles	Callahan	Collins
Bank	Boutwell	Carnes	Connell

REGULAR SESSION
3rd Day

297

Coshatt	Goodwin	McCluskey	Snell
Cottingham	Grainger	Manley	Stewart
Crawford	Gray (F)	Mathews	Stokes
Cross	Grey (D)	May	Stubbs
Culver	Hale	Merrill	Taylor
Dill	Hardin	Mims	Therrell
Doss	Headley	Naramore	Timmons
Downing	Hearn	Nettles	Turner
Drake	Hill	Owens	Turnham
Easters	Hobbie	Parker	Waggoner
Edwards	Jackson	Pruitt	Waldrop
Ellis	Jones (E)	Reid (R)	Warren
Erdreich	Jones (F)	Reynolds	Weeks
Falkenburg	King	Robertson	Williams
Fite	Lang	St. John	Wise
Flippo	Lutz	Smith (K)	Wynot
Gafford	McBride		

—85

And the bill:

H. 193. Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census; to provide for an annual expense allowance for the remaining terms of office of certain officials of said counties, and providing for retroactive effect.

Was taken up.

Mr. Merrill offered the following amendment to the bill:

Amend Section 1 of House Bill No. 193 by striking the words "the county judge."

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Messrs.:	Crawford	Hearn	Reid (R)
Adams	Cross	Hill	Reynolds
Adwell	Culver	Hobbie	Robertson
Agee	Dill	Jackson	St. John
Bank	Doss	Jones (E)	Smith (K)
Barkett	Downing	Jones (F)	Snell
Bassett	Drake	King	Stewart
Benton	Easters	Lang	Stokes
Boles	Edwards	Lutz	Stubbs
Boutwell	Ellis	McBride	Taylor
Bowers	Erdreich	McCluskey	Therrell
Brassell	Falkenburg	Manley	Timmons
Burgess	Fite	Mathews	Turner
Callahan	Flippo	May	Turnham
Carnes	Gafford	Merrill	Waggoner
Carter	Goodwin	Mims	Waldrop
Casey	Grainger	Naramore	Warren
Chesnut	Gray (F)	Nettles	Weeks
Collins	Grey (D)	Owens	Williams
Connell	Hale	Parker	Wise
Coshatt	Hardin	Pruitt	Wynot
Cottingham	Headley		

—85

3rd Day

And the bill, H. 193, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Messrs.:	Crawford	Hearn	Reid (R)
Adams	Cross	Hill	Reynolds
Adwell	Culver	Hobbie	Robertson
Agee	Dill	Jackson	St. John
Bank	Doss	Jones (E)	Smith (K)
Barkett	Downing	Jones (F)	Snell
Bassett	Drake	King	Stewart
Benton	Easters	Lang	Stokes
Boles	Edwards	Lutz	Stubbs
Boutwell	Ellis	McBride	Taylor
Bowers	Erdreich	McCluskey	Therrell
Brassell	Falkenburg	Manley	Timmons
Burgess	Fite	Mathews	Turner
Callahan	Flippo	May	Turnham
Carnes	Gafford	Merrill	Waggoner
Carter	Goodwin	Mims	Waldrop
Casey	Grainger	Naramore	Warren
Chesnut	Gray (F)	Nettles	Weeks
Collins	Gray (D)	Owens	Williams
Connell	Hale	Parker	Wise
Coshatt	Hardin	Pruitt	Wynot
Cottingham	Headley		

—85

And the bill:

H. 194. To amend further Act No. 154, H. 746, Regular Session 1965, which act creates the office of commissioner of licenses in certain counties classified on a population basis, so as to make further provisions respecting the compensation of such commissioners.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Messrs.:	Casey	Erdreich	Jones (E)
Adams	Chesnut	Falkenburg	Jones (F)
Adwell	Collins	Fite	King
Agee	Connell	Flippo	Lang
Bank	Coshatt	Gafford	Lutz
Barkett	Cottingham	Goodwin	McBride
Bassett	Crawford	Grainger	McCluskey
Benton	Cross	Gray (F)	Manley
Boles	Culver	Gray (D)	Mathews
Boutwell	Dill	Hale	May
Bowers	Doss	Hardin	Merrill
Brassell	Downing	Headley	Mims
Burgess	Drake	Hearn	Naramore
Callahan	Easters	Hill	Nettles
Carnes	Edwards	Hobbie	Owens
Carter	Ellis	Jackson	Parker

REGULAR SESSION
3rd Day

299

Pruitt
Reid (R)
Reynolds
Robertson
St. John
Smith (K)

Snell
Stewart
Stokes
Stubbs
Taylor
Therrell

Timmons
Turner
Turnham
Waggoner
Waldrop

Warren
Weeks
Williams
Wise
Wynot

—85

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Bowers, Weeks, Boutwell, Ellis, Adwell, Dill, Doss, Jones (E), Boles and Erdreich:

H. J. R. 52. MOURNING THE DEATH OF COL. HENRY CLAYTON WOOD.

WHEREAS, Col. Henry Clayton Wood, age 78, a distinguished Birmingham Veterans and Boy Scout leader died recently; and

WHEREAS, Col. Wood began his military career in 1916, serving with the Alabama National Guard on the Mexican Border, and the next year fought with the Rainbow Division in France, receiving the Silver Star for gallantry in action, the Purple Heart with Oak Leaf Clusters, and the Victory Medal; and

WHEREAS, Col. Wood was a member and commander of Kelly Ingram Post 668 of the Veterans of Foreign Wars; and

WHEREAS, Col. Wood served veterans organizations as commander of the Department of Alabama Disabled Veterans, president of the Rainbow Division Veterans Associations of Alabama, national vice president of the Rainbow Association, and further served as commander and area service officer of the VFW Department of Alabama; and

WHEREAS, Col. Wood worked with Boy Scout Troops 48, 58, 68 and 241, and in 1959, was presented the Silver Beaver Award for Distinguished Service to Boyhood by the Boy Scouts of America; and

WHEREAS, Col. Wood was a member of Ruhama Baptist Church since 1922, and served as a deacon and president of the Bracer Class at the Church; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it mourns the death of Col. Henry Clayton Wood, and expresses its deep sorrow to members of his family.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to his wife, Mrs. Zola Wood, and his daughter, Mrs. John H. Peterman, both of Birmingham.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 52, on the Clerk's desk for one legislative day.

Also:

By Mr. Mims:

H. J. R. 53. MOURNING THE DEATH OF RICHARD (DICK) BEARD, STATE COMMISSIONER OF AGRICULTURE AND INDUSTRIES.

WHEREAS, Richard Beard was recognized as one of Alabama's outstanding agricultural leaders and public officials; and

WHEREAS, Richard Beard was a native of Tennessee and a graduate of Washington and Lee University; and

WHEREAS, Richard Beard began farming in 1937 near Trussville in Jefferson County and his Glendale Farm was one of the most productive in the state; and

WHEREAS, Richard Beard served on the Trussville City Council and was an elder in the Trussville Presbyterian Church; and

WHEREAS, Richard Beard served as president of the Alabama Cattleman's Association and a director and officer of that organization for some 10 years. He further served as president of the Birmingham Agriculture Club, the Alabama Soil and Water Conservation District Supervisors, and the Southern Association of State Departments of Agriculture; and

WHEREAS, Richard Beard was named in 1968 as "Man of the Year in Service to Agriculture" by the Progressive Farmer magazine and was the recipient of the Alabama Farm Bureau "Service to Agriculture Award" in 1969; and

WHEREAS, Richard Beard directed the building of the Department of Agriculture and Industry's new office, fittingly named the "Richard Beard Building" in his honor; and

WHEREAS, Richard Beard was stricken by a heart attack while serving his second term as Commissioner of Agriculture and Industry; and

WHEREAS, Richard Beard spoke the language of Alabama farming and cattle raising, and gave much to his state and nation, and whose death was a great loss to the State of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body does mourn the untimely death of Commissioner Richard (Dick) Beard and offers its heartfelt sympathy to his family.

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to Mrs. Beard and Richard Beard, Jr. of Trussville and Edward Beard of Greensboro.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 53, on the Clerk's desk for one legislative day.

Also:

By Messrs. McCluskey and Smith (P):

H. J. R. 54. MOURNING THE DEATH OF JOHN WESLEY BROWN, JR., PROMINENT SYLACAUGA BUSINESSMAN

WHEREAS the Alabama legislature wishes to pay tribute to the memory of John Wesley Brown, Jr., a noted state and local business leader of Sylacauga who passed away on November 22, 1969; and

WHEREAS John Wesley Brown, Jr. was a native Sylacaugan who was educated in the public schools of that city and was a 1915 graduate of the

REGULAR SESSION
3rd Day

301

University of Alabama. After receiving his degree, he studied law at the University, and was a member of Kappa Sigma; and

WHEREAS this outstanding leader gave unselfishly of his time and talent. He was the chairman of the Board of Directors of both the First National Bank of Sylacauga and Brown Insurance Agency, Inc. of Sylacauga. Mr. Brown served also as the first executive officer of the Coosa River Newsprint Co., now Kimberly-Clark Corporation at Childersburg and in 1941 he served as president of the Alabama Banks Association. President of Central Land Company, Mr. Brown also served as a member of the Board of Directors of the Sylacauga Fertilizer Company, Southeastern Casket Company, and the Sylacauga Bonded Warehouse. He was active for many years as a member of the Sylacauga Exchange Club; was active in the Sylacauga Chamber of Commerce and served as a member of the City Council and was a long time member of the Sylacauga Board of Education; and

WHEREAS Mr. Brown was also an outstanding leader in the religious life of his community. He was a member of the Board of Trustees at First United Methodist Church and served for many years as a member of the administrative board as well as being a member of the Chancel Choir; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that this body wishes to pay tribute to the outstanding life of John Wesley Brown, Jr., in order that the deeds of this extraordinary man may inspire future generations to their highest aspirations.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to his wife, Lucylle.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 54, on the Clerk's desk for one legislative day.

Also:

By Messrs. McCluskey and Smith (P):

H. J. R. 55. MOURNING THE DEATH OF JOHN SINGLETON PITTS, PROMINENT BUSINESS, CIVIC AND CHURCH LEADER OF SYLACAUGA

WHEREAS John Singleton Pitts, age 75, who was a remarkable human being and a prominent business, civic and church leader in Sylacauga and Talladega County, who departed this life November 25, 1970; and

WHEREAS it has been said that the bigness of an individual can be measured by the circles he draws to take the world in. Some are too small to draw one much larger than themselves and their families and others have the "bigness of interest and compassion to draw a circle large enough" to include many areas. Such an individual was John Singleton Pitts whose involvement in the affairs of Sylacauga for more than 50 years was all encompassing; and

WHEREAS Mr. Pitts was a native of Vincent in Shelby County and the son of the late John W. and Ada McGraw Pitts. His father was a long time Republican office holder in Shelby County. He was an exceptional student who was a member of the first graduating class at Shelby County High

School where he played on the school's first football team; he was also a graduate of the University of Alabama; and

WHEREAS he was extremely active in the business, civic and religious affairs of this state. Mr. Pitts was manager of Sylacauga Wholesale; served several terms as president of the Alabama Wholesale Grocers Association and served as president of the Alabama Wholesale Tobacco Association; he was a member of the Board of Directors, Alabama Arthritis Foundation and was elected vice president of the organization in 1969; he was also a member of the Sylacauga Rotary Club, Coosa Valley Country Club, Sigma Alpha Epsilon Fraternity and a long time member of the Board of Directors of the First National Bank in Sylacauga. For two terms he was president of the Sylacauga Chamber of Commerce and he was chairman of the South Talladega County Chapter American Red Cross for several years. Mr. Pitts was a member of the First United Methodist Church and had served in almost every lay capacity including chairman of the Administrative Board, Finance Chairman, Forward Movement Building Committee, Board of Trustees and the Discussion Class; and

WHEREAS this brilliant and multi-talented man reflected uncommon endowments of foresight, perseverance and capacity for intelligent leadership. He was a kind and gentle man who was ever ready to contribute to the needs of his fellowmen; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that this body pays tribute to the works and deeds of a great and humble man, John Singleton Pitts of Sylacauga, and offers this resolution to perpetuate his memory.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to his two daughters, Mrs. William A. Edwards of Sylacauga and Mrs. Frank P. Samford, Jr. of Birmingham.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 55, on the Clerk's desk for one legislative day.

RESOLUTIONS

The following resolutions introduced on the Second Legislative Day were read by title, pursuant to Joint Rule 12:

H. J. R. 38. COMMENDING MRS. LUCY JORDAN ON BEING NAMED 1973 ALABAMA MOTHER OF THE YEAR.

H. J. R. 39. COMMENDING THE TASK FORCES THAT WORKED UNDER THE ALABAMA HEALTH STUDY COMMISSION.

H. J. R. 40. MOURNING THE DEATH OF E. P. COBURN, FORMER LEGISLATOR FROM COLBERT COUNTY.

H. J. R. 41. COMMENDING THE EMMA SANSOM HIGH SCHOOL BASEBALL TEAM FOR WINNING THE 1973 STATE OF ALABAMA 4-A CHAMPIONSHIP.

H. J. R. 42. COMMENDING WILLIAM STEWART ON BEING NAMED THE "ALUMNUS OF THE YEAR" BY THE UNIVERSITY OF ALABAMA JOURNALISM DEPARTMENT.

REGULAR SESSION
4th Day

303

H. J. R. 44. COMMENDING PROFESSOR HENRY MOORE FOR HIS CONTRIBUTION TO THE REAPPORTIONMENT PROJECT COMMITTEE.

On motion of Mr. Drake, the resolutions were adopted en masse.

ADJOURNMENT

On motion of Mr. Drake, the House adjourned until 10:00 o'clock a.m., Thursday, May 24, 1973.

FOURTH DAY

House of Representatives
Montgomery, Alabama
Thursday, May 24, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Robert L. Wilson, Minister, Normandale United Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Culver	Jones (E)	Reynolds
Adams	Dill	Jones (F)	Roberts
Adwell	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lang	Slate
Barkett	Easters	Lutz	Smith (K)
Bassett	Edwards	McBride	Smith (P)
Benton	Ellis	McCluskey	Snell
Boles	Erdreich	McCorquodale	Stewart
Boutwell	Falkenburg	McDonald	Stokes
Bowers	Fite	Manley	Stubbs
Brassell	Flippo	Mathews	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hobbie	Reed (T)	Wood
Cross	Jackson	Reid (R)	Wynot
Crowe			

—101

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Snell, leave of absence was granted for Mr. Adams due to personal reasons.

OATH OF OFFICE

After the certificate of election was read and filed, Hon. G. Sage Lyons, Speaker of the House of Representatives administered the Oath of Office to the following newly elected members of the House of Representatives:

Mr. Bishop N. Barron from Montgomery County,

Mr. Chris McNair from Jefferson County,

Mr. George W. McMillan from Jefferson County,

Mr. J. C. Hughes from Jefferson County.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the third legislative day was approved.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 208. To make an additional appropriation to the Legislative Reference Service for the current fiscal year.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 321. (With Substitute) (With Amendments): To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Mr. Fite, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 120. To amend Section 367 of Title 52 of the Code of Alabama of 1940 as amended, to provide for the addition of one member of the Alabama Retired Teachers Association to the Board of Control of the Teachers' Retirement System and to provide other personnel as deemed necessary by the Board of Control.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 222. To provide further for the election and qualifications of the members of the governing body of Cherokee County.

H. 385. Relating to Conecuh County, to authorize the County Governing body to pay the County Coroner an expense allowance of \$50 per month which shall be in addition to all other salary, compensation and expense allowance provided by law.

H. 386. Relating to Conecuh County; imposing a tax on malt or brewed alcoholic beverages and providing for the disposition of the proceeds therefrom prescribing penalties for the violation of the provisions of this Act; making the provisions of this Act retroactive to July 13, 1972.

H. 392. Relating to Colbert County; to provide for the compensation of certain deputy sheriffs of Colbert County who are engaged in enforcing state traffic and motor vehicle laws to be paid from the county public highway and traffic fund.

H. 395. Relating to counties having a population of not less than 12,000 nor more than 12,800 inhabitants, according to the most recent federal decennial census; to provide further for the compensation of jurors in such counties.

H. 396. Relating to all counties having populations of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; providing for an increase in the compensation of the members of the board of registrars in such counties and further providing for the method of payment of said compensation by the county governing body in such counties.

H. 397. Relating to all counties having populations of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; providing for an increase in the compensation of the members of the boards of equalization in such counties and further providing for the method of payment of said compensation by the county governing body in such counties.

H. 398. To authorize the payment of expenses to members of the county board of education in counties having populations of not less than 10,660 nor more than 10,900, according to the most recent or any subsequent federal decennial census, and to authorize the operation of the Act to be retroactive to August 10, 1965.

H. 408. Relating to all counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; authorizing the county governing body of each of such counties to

provide for employment of clerical assistance for the tax assessor, whose compensation is payable out of county funds.

H. 425. To create the position of deputy coroner in all counties having a population of not less than 26,000 nor more than 26,800 inhabitants according to the most recent federal decennial census.

H. 465. To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

H. 466. Relating to St. Clair County; to provide further for the compensation of jurors.

H. 467. Legalizing the sale of draft or keg beer or malt beverages in St. Clair County.

H. 468. Relating to St. Clair County; to require all county and municipal governing bodies, boards, agencies and institutions receiving any public tax revenues to publish certain annual financial data; providing penalties for failure to comply with the provisions of this Act.

H. 469. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Odenville and at Steele in said County.

H. 538. Relating to counties having a population of not less than 26,000 nor more than 26,800 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 556. Relating to counties having a population of not less than 10,900 nor more than 11,500, according to the most recent federal decennial census; to provide further for the compensation and expenses of the county superintendent of education.

H. 571. Relating to all counties having a population of not less than 16,600 nor more than 16,950 according to the most recent federal decennial census; to provide that the sheriff of such counties shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners; and to make the provisions of this Act retroactive to March 23, 1973.

H. 572. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the court reporter an expense allowance of \$150.00 per month.

H. 573. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff an expense allowance of \$150.00 per month.

H. 582. To amend the title and Section 1 of Act No. 2374, H. 158, Regular Session, 1971 (Acts 1971, p. 3803-3804), which Act provides further for the compensation and allowances of the superintendent of education in such counties.

4th Day

H. 583. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff's chief clerk a salary of not less than \$4,800 nor more than \$6,000 per year.

H. 584. To provide that the Sheriff of Marion County shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners, to make the provisions of this act retroactive to January 18, 1971.

H. 585. To provide for the appointment of an additional deputy sheriff in Marion County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 586. (With Amendment): Relating to counties having a population of not less than 14,500 nor more than 14,900 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff's chief clerk a salary of not less than \$4,800 nor more than \$6,000 per year.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 587. To propose an amendment to the Constitution of Alabama creating a special school tax district in Marion County and authorizing the levy and collection of special district property taxes for capital outlay purposes for the Marion County school system within said special district, and providing that such levy and collection shall be subject to a vote of the qualified electors in the district.

The above bill was read a second time at length as required by the Constitution.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 588. (With Amendment): Relating to all counties having a population of not less than 14,500 nor more than 14,900 according to the most recent federal decennial census; to provide that the sheriff of such counties shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners; and to make the provisions of this Act retroactive to January 18, 1971.

H. 589. (With Amendment): Relating to counties having a population of not less than 14,500 nor more than 14,900 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff an expense allowance of \$150 per month.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following

bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 178. To authorize the Cullman County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

H. 179. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Cullman County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

H. 180. Relating to Cullman County; levying in such county additional special county privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session of 1959 (Acts 1959, p. 298), as amended or supplemented, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of this Act by the State Department of Revenue; prescribing penalties and fixing punishment for violations of this Act; and forbidding municipalities in Cullman County to levy municipal sales and use taxes; and repealing ordinances heretofore adopted levying such municipal sales and use taxes.

H. 181. To provide an additional fee for recording change of ownership of motor vehicles in Cullman County and for the use thereof.

H. 182. To provide additional revenue in Cullman County to be used exclusively for the purpose of developing and promoting tourism and conventions within the county; levying a county privilege or license tax paralleling, at lower rate, state privilege or license tax on businesses of renting rooms, lodging or accommodations to transients as provided for in Act No. 248, H. 87, Regular Session 1955, (Acts 1955, p. 586), as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violation of this Act.

H. 383. To apply to the Fourth Judicial Circuit of Alabama; relating to additional compensation and method of payment of the official Court Reporters of said Circuit.

H. 524. To amend further the City Manager Act of 1953, Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits any city in the State of Alabama having a population of more than thirty thousand and not exceeding thirty-three thousand according to the most recent federal decennial census, to adopt the council-manager form of municipal government.

H. 541. To amend the title and Section 2 of Act No. 20, H. 10, Second Special Session 1971 (Acts 1971, p. 4147), which title and section provide for the payment of \$15 per day for each day served to the jury commission of counties having a population of not less than 10,660 nor more than

10,900, so as to provide for an increase in compensation to \$20 per day served.

H. 542. To amend Section 2 of Act No. 151, H. 421, approved June 30, 1953, relating to a secretarial assistant to the Register in Equity of the Circuit Court of Covington County, Alabama.

H. 550. To alter, rearrange, and extend the corporate limits of the Town of Rosa, Alabama, in Blount County, so as to include within the corporate limits thereof certain additional territory in Sections 23, 14, and 15, Township 12, South, Range 1 East.

H. 552. Relating to Blount County: Directing and requiring the county governing body to provide for holding a referendum election relative to the continuance of the levy in such county of the special county ad valorem tax for public hospital purposes; and providing for and regulating the discontinuance of such levy if the vote at such election is against the continuance thereof.

H. 553. Relating to Blount County; to require the County Board of Education to provide all public school bus drivers with liability insurance in the amount required by the Alabama Motor Vehicle Safety Responsibility Act.

H. 554. Relating to the city of Oneonta in Blount County; providing for the election by popular vote of members of the city board of education; prescribing the terms, qualification and compensation of members of such city board of education; and abolishing the existing board of education in such city.

H. 555. Relating to Blount County: to provide for the nomination and election of the board of education of the county; specifically providing for the election of the members of such board by the qualified electors of Blount County who reside outside the corporate limits of the city of Oneonta and for the nomination of candidates by the qualified electors of designated districts; dividing that part of Blount County lying outside the corporate limits of the city of Oneonta into districts for the purpose of the nomination and election of such members; prescribing the times of election of such members and their qualifications.

H. 558. Relating to Calhoun County; to provide for the salary of certain officials of said county.

H. 564. Relating to all counties having a population of not more than 10,660; providing a travel allowance for members of the county governing body.

H. 565. Relating to all counties having a population of not more than 10,660; providing for the appointment, duties, and compensation of clerks for the county governing body.

H. 567. Relating to counties having a population of not less than 38,100 nor more than 40,500 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 581. To amend Section 13 of Act No. 670, H. 1234, 1971 Regular Session (Acts of 1971, p. 1389), entitled, "An Act To create and establish the Shelby County Inferior Court; to prescribe its jurisdiction and procedure; to provide for its officers and employees and for their duties, power, qualifications, compensation, and the manner of their appointment or election; and to repeal conflicting laws."

H. 618 RE-REFERRED

On motion of Mr. Stokes, the bill, H. 618, was re-referred from the Standing Committee on Public Welfare to the Standing Committee on Business and Labor.

RESOLUTIONS

The following resolutions introduced on the Third Legislative Day were read by title, pursuant to Joint Rule 12:

H. J. R. 50. COMMENDING DEAN O. D. TURNER FOR HIS OUTSTANDING LEADERSHIP IN THE GUIDANCE OF THE SCHOOL OF BUSINESS AT AUBURN UNIVERSITY.

H. J. R. 52. MOURNING THE DEATH OF COL. HENRY CLAYTON WOOD

H. J. R. 53. MOURNING THE DEATH OF RICHARD (DICK) BEARD, STATE COMMISSIONER OF AGRICULTURE AND INDUSTRIES.

H. J. R. 54. MOURNING THE DEATH OF JOHN WESLEY BROWN, JR., PROMINENT SYLACAUGA BUSINESSMAN.

H. J. R. 55. MOURNING THE DEATH OF JOHN SINGLETON PITTS, PROMINENT BUSINESS, CIVIC AND CHURCH LEADER OF SYLACAUGA.

On motion of Mr. Drake, the resolutions were adopted en masse.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 32. Mourning the death of Samuel H. Bank, father of Representative Bert Bank.

Also:

H. J. R. 33. Urging the planting of family gardens.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Merrill, Stewart, and Burgess:

H. 621. To amend Section 1 of Act No. 359, H. 150, Regular Session 1951 (Acts 1951, p. 646); to provide for the issuance of special license tags to owners of private or pleasure motor vehicles who hold citizen's band radio licenses issued by the Federal Communications Commission.

Judiciary.

By Messrs. Merrill, Stewart and Burgess:

H. 622. To provide that all retirement income or disability pay received by any retired military personnel shall be exempt from all state, county or city income taxes or like taxes.

Ways and Means.

By Messrs. Merrill and Stewart:

H. 623. To amend Title 13, Section 178, Code of Alabama 1940, pertaining to expenses of Circuit Judges outside of their home counties.

Judiciary.

By Mr. Merrill:

H. 624. To provide exemption from liability for any pharmacist serving on a peer or utilization review or professional standards review committee.

Judiciary.

By Messrs. Stewart, Lutz, Flipppo, King, Williams, Chesnut, Dill, Roberts, Doss, St. John, Nettles, Hale and Therrell.

H. 625. Proposing an amendment to the Constitution of Alabama providing for and regulating the length of annual and special sessions of the Legislature.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Reid (R), Grey (D), Waldrop, Carnes, Wynot, Naramore, Dill, Goodwin, Reed (T), Therrell, Robertson, Bank, Culver, Gray (F) and Drake.

H. 626. To amend Act No. 430, H. 222, Regular Session 1953 (Acts 1953, p. 535), which provides that the right of a person to work shall not be

abridged or denied on account of membership or non-membership in any labor union or labor organization, so as to permit employers and labor unions or labor organizations to enter into agreements which would require all represented employees in a collective bargaining unit to pay to that union amounts equal to dues required of union members.

Commerce and Transportation.

By Mr. Stewart:

H. 627. To amend §42 of Title 46, Code of Alabama 1940, which section relates to persons who may practice as attorneys by authorizing senior law students to perform, without compensation, acts enumerated in said section.

Judiciary.

By Mr. Goodwin:

H. 628. Relating to counties having a population of not less than 45,500 nor more than 52,000 inhabitants according to the most recent federal decennial census; providing that all compensation and amounts paid jurors in such counties shall, for the purpose of payment of taxes, be deemed to be reimbursement of expenses incurred while serving on the jury.

Local Legislation No. 1.

By Mr. Goodwin:

H. 629. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; providing that all compensation and amounts paid jurors in such counties shall, for the purpose of payment of taxes, be deemed to be reimbursement of expenses incurred while serving on the jury.

Local Legislation No. 1.

By Mr. Easters:

H. 630. To amend Act No. 407, H. 198, 1971 Regular Session (1971 Acts, p. 707) which is the Alabama Insurance Code by adding a new chapter 37 consisting of Sections 814 through 828 so as to prescribe the allowable investments and assets of certain insurers.

Insurance.

By Mr. Easters:

H. 631. To amend Section 3 of Act No. 1945, H. 584, Regular Session 1971, (Acts 1971, p. 3143), which relates to the authorization of the County Commissioners of the several counties to appoint a County Engineer or a Chief Engineer of the Division of Public Roads; to provide for his compensation; to provide for the qualifications and duties; and to provide for State participation of the salary of said engineer.

State Administration.

By Messrs. Turner and Cottingham:

H. 632. To appropriate the sum of \$30,000 for each of the fiscal years ending September 30, 1974 and September 30, 1975 out of the State General Fund to the Geological Survey of Alabama.

Ways and Means.

By Messrs. McCorquodale, Wood, Collins, Barkett, Snell, Adwell, Dill, Bowers, Erdreich, Manley, King, Williams, Drake and Mims:

H. 633. Relating to the profession and practice of optometry; defining the profession and practice of optometry; providing for the regulation of optometrists; creating the State Board of Optometry, and prescribing its powers, duties and authority; authorizing the State Board of Optometry to suspend and revoke licenses, providing the manner of appealing from the decisions of the Board to the courts of this state; and providing for the enforcement of the act and prescribing penalties for violations thereof.

Public Welfare.

By Mr. Therrell (With Notice and Proof):

H. 634. To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Mobile in Mobile County, Alabama, by removing certain area from the limits of the City of Mobile and adding same to the limits of the City of Chickasaw, and to describe the area so removed from the City of Mobile and so added to the City of Chickasaw.

Local Legislation No. 3.

Notice and Proof H. 634:

LEGAL NOTICE

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Mobile in Mobile County, Alabama, by removing certain area from the limits of the City of Mobile and adding same to the limits of the City of Chickasaw, and to describe the area so removed from the City of Mobile and so added to the City of Chickasaw.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Chickasaw in Mobile County, Alabama are altered, rearranged and extended to include within the corporate limits of said city the parcel of land hereinafter described, and the boundaries of the City of Mobile in Mobile County, Alabama are altered and rearranged to exclude from the corporate limits of said city the said parcel described as follows:

Beginning at the point of intersection of the south line of the City Limits of Chickasaw with the east boundary line of Craft Highway, run southwardly along the east boundary line of Craft Highway 500 feet to a point; thence turning left run due east for a distance of 4040 feet more or less to a point on the west boundary of the right-of-way of a railroad of the United States Steel Corporation; thence turning to the left run in a northerly direction along the

west boundary of said railroad right-of-way a distance of 1410 feet, more or less, to a point; thence turning an angle of $90^{\circ}-00'$ to the right in an easterly direction run 25.0 feet to intersection with the centerline of said track of United States Steel Corporation at the point of intersection of a No. 8 Frog, said point of intersection being at the same point as that described in deed dated September 30, 1944 conveying right-of-way for a railroad track from Tennessee Land Company to Warrior and Gulf Navigation Company, said deed being recorded in the office of the Judge of Probate of Mobile County, Alabama, in Deed Book 365, N.S., Page 237; thence turning an angle of $32^{\circ}-51'$ to the left in a northeasterly direction along a straight line which is the centerline of an existing railroad track 46.28 feet to the point of beginning of the arc of a curve tangent to said straight line, said arc turning to the left, having a radius of 603.81 feet and being subtended by a central angle of $40^{\circ}-44'$ thence northeasterly along said arc which is the centerline of said existing railroad track 49.88 feet; thence in a northeasterly direction along a straight line which is tangent to said arc and is the centerline of said existing railroad track 6.0 feet to the point of beginning of the arc of a curve tangent to said straight line, said arc turning to the right having a radius of 328.69 feet and being subtended by a central angle of $15^{\circ}-01'-05''$; thence northeasterly along said arc 86.15 feet to the point of beginning of the arc of another curve to the right, said arcs having a common tangent, said last-mentioned arc having a radius of 328.69 feet and being subtended by a central angle of $64^{\circ}-00'$; thence northeasterly along said arc which is the centerline of said track and is in part the centerline of said right-of-way conveyed to Warrior and Gulf Navigation Company 367.15 feet to the point of beginning of the arc of another curve turning to the right, said arcs having a common tangent, said last mentioned arc having a radius of 344.99 feet and being subtended by a central angle of $49^{\circ}-05'$; thence northeasterly, thence easterly and thence southeasterly along said arc which is the centerline of said right-of-way conveyed to Warrior and Gulf Navigation Company 295.5 feet; thence in a southeasterly direction along a straight line which is tangent to said arc and is the centerline of said right-of-way conveyed to Warrior and Gulf Navigation Company 624.50 feet to the P. C. of an arc of a curve to the left, said arc having a radius of 1146.28 feet and being subtended by a central angle of $12^{\circ}-05'$; thence southeasterly 241.74 feet along said arc, which is the centerline of the said right-of-way conveyed to Warrior and Gulf Navigation Company; thence run southeasterly along a straight line which is tangent to said arc and is the centerline of said right-of-way conveyed to the Warrior and Gulf Navigation Company 1,376.85 feet to the P.C. of an arc of a curve to the left, said arc having a radius of 1146.28 feet and being subtended by a central angle of $6^{\circ}-58'$; thence southeasterly along said arc, which is the centerline of said right-of-way conveyed to Warrior and Gulf Navigation Company 139.38 feet to a point; thence southeasterly along a straight line, which is tangent to said arc and is the centerline of said right-of-way conveyed to the Warrior and Gulf Navigation Company, 436.90 feet to a point; thence right $83^{\circ}-33'$ and run southerly 1,362.28 feet along a straight line to a point; thence turn left $90^{\circ}-00'$ and run easterly 1600 feet more or less along a straight line to a point in the center of Chickasaw Creek; thence meander northward and westward along the centerline of Chickasaw Creek a distance of 16,100 feet more or less to a point on the east boundary of U.S. Highway 43, said point also being on the City Limits Line of the City of Chickasaw, Alabama; thence run south $02^{\circ}-07'-45''$ west along said east boundary of U.S. Highway 43 a distance of 200 feet more or less to a point on the south bank of Chickasaw Creek; thence run westerly along the south bank of said

4th Day

Chickasaw Creek a distance of 210 feet more or less to its junction with the west boundary of said U.S. Highway 43; thence run southwardly along said west boundary line of U.S. Highway 43 1600 feet more or less to a point on the north line of Section 21, T3S, R1W in Mobile County, Alabama; thence run east along the said north line of Section 21 to the point of intersection of the north and east lines of said Section 21; thence run south along said east line of Section 21 a distance of 2640 feet more or less to a point; thence run east for a distance of 1320 feet more or less to a point; thence run south for a distance of 3960 feet more or less to a point; thence run west for a distance of 970 feet more or less to a point on the west right-of-way line of the Southern Railway; thence run southwardly along said west line of the Southern Railway for a distance of 1340 feet more or less to a point; thence run westwardly and parallel with the south line of North Mobile 253.60 feet to a point; thence turn right 36°-00' and run westwardly along the arc of a curve to the left, said curve having a radius of 401.42 feet and said arc being subtended by a central angle of 36°-22', for a distance of 254.83 feet to a point; thence run westwardly 51.07 feet along the north line of a 50-foot railroad right-of-way to a point on the centerline of Telegraph Road; thence turn right 75°-36' and run along said centerline for a distance of 292.88 feet to a point; thence turn left 9°-15' and run westwardly along the line between Gaylords (formerly Arkell and Smith's) and Ray Brooks for a distance of 243.57 feet to a point on the east line of a 50-foot railroad spur right-of-way; thence run southwardly 140.08 feet along said east right-of-way line which lies on an arc of a curve to the left, having a radius of 294 feet, said arc being subtended by a chord of 138.76 feet which forms a deflection angle of 103°39' with the last described line; thence turn right 76°-30' from an extension of said chord and run southwestwardly 50 feet to a point; thence turn left 62°-51' and run southwardly 189.10 feet to a point on the north boundary of Twelfth Avenue Extension; thence run easterly along said north boundary of Twelfth Avenue Extension a distance of 230.89 feet to a point on the west right-of-way line of Telegraph Road; thence run southeastwardly along said west boundary line a distance of 61.84 feet to a point on the south boundary of Twelfth Avenue; thence run westwardly along said south boundary line of Twelfth Avenue a distance of 948 feet to a point on the east boundary of Craft Highway, which is the Point of Beginning.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Judy Beasley being sworn, says that she is Bookkeeper of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register April 20, and 26, May 3, 10, 17, 1973.

JUDY BEASLEY.

Sworn to and subscribed before me this 17th day of May 1973.

GARY L. RICHARDSON,
Notary Public.

By Messrs. Boles and Jones (E):

H. 635. To amend Title 13, Section 199(2), Code of Alabama, 1940, (Recompiled 1958), as last amended, fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Ways and Means.

By Messrs. Boles, Jones (E), Doss, Dill, Waggoner, Timmons, Adwell, Falkenburg and Ellis (With Notice and Proof):

H. 636. To fix the compensation or salary of the assistant Tax Assessor or deputy Tax Assessor of any branch office of the Tax Assessor in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

Local Legislation No. 2.

Notice and Proof H. 636:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation or salary of the assistant Tax Assessor or deputy Tax Assessor of any branch office of the Tax Assessor in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

Be It Enacted by the Legislature of Alabama:

Section I: This act shall apply in all counties having a population of 600,000 or more, according to the last or any subsequent federal census.

Section II: That the assistant Tax Assessor or deputy Tax Assessor of counties having a population of 600,000 or more shall receive a salary of \$16,500.00 per annum, which salary shall be paid out of the County Treasury of said County in equal monthly installments.

Section III: That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

Section IV: This act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: John M. McElroy, Who being duly sworn, says on oath that he is: Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit and that the dates on which same was published were: March 30, April 6, 13, 20, 1973.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

JOHN M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 20th day of April, 1973.

JOHN E. SMITH,
Notary Public.

By Messrs. Jones (E), Boles, Hughes, Timmons, Dill, Doss, Falkenburg and McNair (With Notice and Proof):

H. 637. To create an additional judgeship for the Tenth Judicial Circuit of Alabama; to provide for the election of an incumbent thereof; to prescribe the jurisdiction, powers, authority, qualifications, duties, and compensation of such incumbent, and to render such incumbent liable to all the pains and penalties of other Circuit Judges in the State, and to further provide for a division of authority and duties between judgeships in said Circuit.

Ways and Means.

Notice and Proof H. 637:

A BILL
TO BE ENTITLED
AN ACT

To create an additional judgeship for the Tenth Judicial Circuit of Alabama; to provide for the election of an incumbent thereof; to prescribe the jurisdiction, powers, authority, qualifications, duties, and compensation of such incumbent, and to render such incumbent liable to all the pains and penalties of other Circuit Judges in the State, and to further provide for a division of authority and duties between judgeships in said Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. That there is hereby created the office of Judgeship No. 19 of the Tenth Judicial Circuit of Alabama, which shall be in addition to these judgeships of said Circuit now existing. The Judge of said Judgeship No. 19 shall be appointed by the Governor as provided in the constitution to hold office until his successor has been elected at the general election of 1974, and shall have qualified. The Judge of said Judgeship No. 19 shall be elected at the next general election to be held in 1974, and shall take office on the first day of the month next succeeding his election and qualification and hold office until his successor shall have been elected and qualified; and thereafter at the next general election to be held in 1976, and each six years thereafter, the Judge of said Judgeship No. 19 shall be elected for same term of office as other Circuit Judges are elected in the State.

Section 2. The incumbent of said Judgeship No. 19 shall have and exercise all of the jurisdiction, powers, rights, and authority and possess all the qualifications, perform all the duties, and be subject to the pains, obligations, and penalties that other Circuit Judges may exercise, perform, or be subject to, and in addition thereto all of the qualifications of Judges Numbered Fifth and Twelfth of said Circuit, and shall preside over and sit in that Division (Bessemer Division) of said Circuit in which the Judges Numbered Fifth and Twelfth sit as of course and perform the same duties in said Division as performed by said Judges Numbered Fifth and Twelfth, Subject to the right, powers, and authority of the Presiding Judge of the Tenth Judicial Circuit, the Judge sitting in said Division having the longer tenure of office shall be

the Senior Judge and is vested with the authority and duty to apportion, allocate, and assign the work of said Circuit Court in said Division as between the Judges thereof equitably.

Section 3. The incumbent of said judgeship shall receive the same salary, payable in the same manner as other Judges of said Circuit receive and are paid.

Section 4. Should any word, phrase, clause, section or part of this Act be held to be unconstitutional it shall not affect the remainder of this Act.

Section 5. This Act shall take effect immediately upon its passage and approval by the Governor.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: John M. McElroy, who being duly sworn, says on oath that he is: Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: April 6, 13, 20, and 27th, 1973.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

JOHN M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 27th day of April, 1973.

JOHN E. SMITH,
Notary Public.

By Messrs. Jones (E), Doss, Dill, Waggoner, Timmons, Adwell, Boles, Falkenburg and Ellis (With Notice and Proof):

H. 638. To fix the compensation or salary of the assistant Tax Collector or deputy Tax Collector of any branch office of the Tax Collector in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

Local Legislation No. 2.

Notice and Proof H. 638:

A BILL TO BE ENTITLED AN ACT

To fix the compensation or salary of the assistant Tax Collector of deputy Tax Collector of any branch office of the Tax Collector in counties hav-

ing a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply in all counties having a population of 600,000 or more, according to the last or any subsequent federal census.

Section 2. That the assistant Tax Collector or deputy Tax Collector of counties having a population of 600,000 or more shall receive a salary of \$16,500.00 per annum, which salary shall be paid out of the County Treasury of said County in equal monthly installments.

Section 3. That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: John M. McElroy, who being duly sworn, says on oath that he is: Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: March 30, April 6, 13, 20, 1973.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

JOHN M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 20th day of April, 1973.

JOHN E. SMITH,
Notary Public.

By Messrs. Jones (E), Boles, Doss, Waggoner, Dill, Timmons, Adwell and Falkenburg:

H. 639. To fix the compensation or salary of the assistant judges of probate or deputy probate judges of any branch office of the Probate Court in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof.

By Messrs. Jones (E), Boles, Doss, Dill, Timmons, Waggoner, Adwell, Falkenburg and Ellis (With Notice and Proof):

H. 640. To provide for the compensation to be paid the Deputy District Attorneys who are elected by the people, in all counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same, and to provide the date when said act shall go into effect.

Ways and Means.

Notice and Proof H. 640:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation to be paid the Deputy District Attorneys who are elected by the people, in all counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same, and to provide the date when said act shall go into effect.

Section 1. The Deputy District Attorneys, who are elected by the people, in all counties having a population of six hundred thousand or more according to the last or any succeeding decennial federal census, shall be paid by the State an annual salary of an amount equal to Two Thousand Dollars per year less than the salary which may now or hereafter be paid by the State to Circuit Judges in said counties, payable as salaries of other state officers are paid. Provided further that there shall be paid to the Deputy District Attorneys who are elected by the people in all counties having a population of six hundred thousand or more according to the last or any succeeding decennial federal census, from the general fund of the county treasurer in equal monthly installments an annual supplement to his salary payable by the State an amount equal to Two Thousand Dollars per year less than the salary supplement which may now or hereafter be paid by the said county to the Circuit Judges in such counties, so that the total annual salary of the Deputy District Attorneys, who are elected by the people, shall be Four Thousand Dollars per year less than the total annual salary of Circuit Judges in said counties.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective on the first Monday after the second Tuesday of January, 1975. This being the beginning of the next term of said Deputy District Attorneys.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: John M. McElroy, who being duly sworn, says on oath that he is: Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama,

and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: April 6, 13, 20, 27, 1973.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

JOHN M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 27th day of April, 1973.

JOHN E. SMITH,
Notary Public.

By Mr. Smith(K) :

H. 641. Relating to counties having a population of not less than 33,550 nor more than 34,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

By Messrs. Carnes, Casey, Drake, Chesnut, St. John, Taylor, Stewart, Merrill, Fite, Gray (F), Wood, King, Wynot, Waldrop, Brassell, Reed (T), Bassett, Stokes, Downing, Cottingham, Crowe, Perloff, Hale, Lutz and Coshatt:

H. 642. To amend Title 26, Section 261, Code of Alabama 1940, as amended, which relates to legal services in workman's compensation cases, so as to eliminate the requirement that a claimant under the workman's compensation law must have prior court approval before employing an attorney to represent him upon a hearing of a petition under the workman's compensation law.

Judiciary.

By Messrs. Meeks, Bowers, Adwell, Wallace, Dill and Waggoner:

H. 643. To exempt the Birmingham Children's Theatre, an Alabama Corporation, from the payment of all state, county and municipal sales and use taxes.

Ways and Means.

By Mr. Perloff (With Notice and Proof) :

H. 644. To amend Act No. 40, S. 4, Second Special Session of 1965 (Acts 1956, p. 328), as amended relating to Courts of General Sessions of Mobile.

Local Legislation No. 3.

Notice and Proof H. 644:

LEGAL NOTICE

Synopsis: This bill further amends Act No. 40, S. 4, Second Special Session of 1956 (Acts 1956, p. 328), as amended.

A BILL
TO BE ENTITLED
AN ACT

Be It Enacted by the Legislature of Alabama:

Section 1. Section 8 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328), as amended, is further amended to read as follows:

"Section 8. The Court of General Sessions of Mobile County shall have an exercise civil jurisdiction in Mobile County concurrently with the Circuit Court of Mobile County in all civil matters where the amount in controversy does not exceed three thousand dollars and in addition shall have jurisdiction over all civil matters where the amount in controversy is not more than fifty dollars. The court shall also have jurisdiction in matters pertaining to forcible entry and detainer, and unlawful detainer, where the real property is anywhere within the limits of Mobile County, Alabama. The court shall not have jurisdiction in equity nor of actions of libel, slander, assault and battery, ejectment and actions in the nature of ejectment. Nothing in this act shall be construed to give the judges of the Court of General Sessions of Mobile County any authority to grant writs of certiorari, supersedeas, quo warranto, prohibition of mandamus, injunction or ne exeat."

Section 2. Section 10 of Act No. 40, S.4, Second Special Session 1956: Acts 1956, p. 328), as amended, is amended to read as follows:

"Section 10. The costs in civil cases, where the amount in controversy does not exceed three hundred and fifty dollars shall be charged and collected specifically as follows: Summons and proceedings thereon to judgment, \$.50; docketing each cause, \$.50; Attachment Bond and Affidavit, \$2.50; Issuing each attachment, \$1.00; Summoning Garnishee and taking examination, \$.10; Subpoena for each witness, \$.50; Execution and taxing costs thereon, \$.59; each appeal or certiorari, \$1.50; every necessary certificate or notice not otherwise provided for, \$.50; for issuing ach writ of detinue, \$1.00; for each Scire Facias or notice in nature thereof, \$.50; every other bond, \$1.00; administering an oath and certifying same, \$.50; Issuing Notice of Appeal, \$1.00; Judgmnt Ni Si Contempt and Arrest, \$.50; Alias Summons \$.50.

The costs in civil cases, where the amount in controversy is more than three hundred and fifty dollars shall be charged and collected specifically as follows: Summons and proceedings thereon to judgment, \$1.50; docketing each cause, \$1.00; Issuing each attachment, \$1.00; Summoning Garnishee and taking examination, \$1.00; Subpoena for each witness, \$.50; Execution and taxing costs thereon, \$1.00; each appeal or certiorari, \$1.50; every necessary certificate or notice not otherwise provided for, \$1.00; for issuing each writ of detinue, \$1.00; for each Scire Facias or notice in nature thereof, \$1.00; every other bond, \$1.00; administering an oath and certifying same, \$.50; issuing Notice of Appeal, \$1.00; Judgment Ni Si against garnishee, \$1.00; Writ of discovery, Contempt and Arrest, \$1.00; Alias Summons, \$1.50. In criminal cases, the following specific costs shall be charged and collected: Each complaint \$.50; Issuing Warrant of Arrest, \$1.00; issuing Search

REGULAR SESSION
4th Day

323

Warrant, \$2.00; issuing subpoena or notice, \$.50; Order of Commitment to jail, \$.50; each continuance, \$.50; taking bond and certifying proceedings on appeal, \$2.00; execution for costs, \$.50; issuing Attachment Warrant, \$1.00; certified copy of transcript, \$2.00; docketing each cause, \$.50; certified copy of bond, \$1.00.

"In addition to the foregoing costs, there shall be collected in each case, as part of the costs thereof, the sum of \$1.00, which shall be collected and paid into the county treasury for the benefit of the County Law Library Fund, provided that in all claims where the amount in controversy is three hundred and fifty dollars or less, said sum shall be \$.50 for said County Law Library Fund."

Section 3. Section 21 of Act No. 40, S.4, Second Special Session 1956 (Acts 1956, p. 328), as amended, is amended to read as follows:

"Section 21. Any party desiring to appeal from any judgment shall give bond with sureties to be approved by the clerk, and payable to the party in whose favor the judgment was rendered, conditioned to pay and satisfy such judgment and costs as may be taxed against him in the circuit court. All such bonds shall be in amounts fixed by law and shall be filed with and approved by the clerk within ten days from the rendition of the judgment from which the appeal was taken, except that, in the case of an appeal from a money judgment, the bond given shall be in an amount equal to the amount of such judgment and the costs of court. The amount of any appeal bond referred to herein, exclusive of that portion applicable to court cost, shall not be more than fifteen hundred dollars. In lieu of bond with sureties, any such party desiring to appeal from any judgment may deposit with the clerk cash in an amount equal to costs then accrued plus fifty dollars which amount shall be expended, if such party be unsuccessful in said appeal, first to pay costs in the Court of General Sessions and then to pay costs in the circuit court incurred on said appeal and the balance, if any, to be refunded to said party. In the case of an appeal from a money judgment, the party desiring to appeal shall also deposit with the clerk cash in the amount of such judgment, not to exceed, however, fifteen hundred dollars, which amount so deposited shall be applied toward satisfaction of any judgment in the circuit court against such party resulting from such appeal. The balance, if any, or the full amount if such party be successful on appeal, shall be refunded to the party so appealing."

Section 4. Should any word, phrase, clause, section or part of this act be held to be unconstitutional by any court of competent jurisdiction it shall not effect the remainder of this act.

Section 5. This act shall take effect immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

Judy Beasley being sworn, says that she is Bookkeeper of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register May 1, 8, 15, 22 1973.

JUDY BEASLEY.

Sworn to and subscribed before me this 22nd day of May, 1973.

GARY L. RICHARDSON,
Notary Public.

By Messrs. King, Doss, Jones (E), Hale, Lutz, Grainger, Stewart, McDonald, Roberts, Chesnut and Waldrop:

H. 645. To provide for the issuance of restricted driver's licenses in certain cases.

Judiciary.

By Messrs. King, Hale, Grainger, Hearn, Chesnut and Waldrop:

H. 646. To protect the consumer and encourage the highest standards of construction safety by requiring the use of safety glazing materials in hazardous locations in residential, industrial, commercial and public buildings.

Business and Labor.

By Messrs. King, Erdreich, Hale, Stewart, Stokes, Roberts, Hearn, Crowe and Chesnut:

H. 647. Relating to environmental land and water management; creating the Land Use Commission; authorizing the Office of State Planning of the Alabama Development Office to recommend, and the said commission to designate, areas of critical state concern and to specify principles for guiding development therein; authorizing regional planning agencies and local governments to recommend areas for such designation; providing procedures for the designation of such areas; authorizing local governments to adopt appropriate land development regulations for such areas subject to approval of the Office of State Planning; providing for the recommendation of land development regulations by the Office of State Planning. In the absence of local regulations, and the adoption thereof by the commission; providing for the protection of holders of existing permits or rights to develop land; providing for enforcement of land development regulations; defining the type of development that has regional impact; providing for the adoption by the commission of guidelines for use in determining whether developments are of regional impact; authorizing regional planning agencies to recommend types of development as having regional impact; providing that a developer may receive a determination as to whether his development is of regional impact; providing circumstances under which developments of regional impact may be undertaken; providing for hearings by the local government, and notice thereof; providing for reports and recommendations to the local government from regional planning agencies; providing for the mailing by the Office of State Planning of a weekly list of development proposals having regional impact; providing for the issuance by local governments of approval for development; providing for designation of the commission as an Alabama land and water adjudicatory commission; creating a right of appeal to the commission from decisions in areas of critical state concern or regarding development of regional impact; setting forth procedures for such appeals; providing for hearings; providing the power to designate a hearing officer; authorizing the commission to issue decisions on such appeals; providing for the protection of landowners' constitutional rights and requiring specification of reasons for denying development permits; authorizing governmental agencies to certify to appropriate governmental agencies lands which, in the public interest, should be acquired; creating an environmental land management study committee, and designating its functions; directing the committee to prepare and submit reports; providing that the Office of State Planning shall consult with the committee.

Agriculture.

By Messrs. Warren and Mims (with notice and proof):

H. 648. To prohibit the consumption of alcoholic beverages on the premises of retail licensee in Conecuh County unless the premises have been issued a restaurant, hotel or club liquor license by the Alcoholic Beverage Control Board of the State of Alabama; and prescribing penalties therefor.

Local Legislation No. 1.

Notice and Proof H. 648:

STATE OF ALABAMA
COUNTY OF CONECHUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prohibit the consumption of alcoholic beverages on the premises of retail licensee in Conecuh County unless the premises have been issued a restaurant, hotel or club liquor license by the Alcoholic Beverage Control Board of the State of Alabama; and prescribing penalties therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person to consume alcoholic beverages on the premises of any retail licensee in Conecuh County unless such premises shall have been issued a restaurant, hotel or club liquor license by the Alcoholic Beverage Control Board of the State of Alabama.

Section 2. Any person, firm or corporation who violates any provision of this Act shall be guilty of a misdemeanor and upon a conviction shall be punished as prescribed by law.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective on the first day of the first month immediately after its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
CONECUH COUNTY

Personally appeared before me, a Notary Public in and for said State and County, R. G. Bozeman, Jr., who, being by me duly sworn, deposes and says that he is the publisher of The Evergreen Courant, a newspaper published in Evergreen, in Conecuh County, Alabama, and that the attached notice was published for four (4) consecutive weeks in said newspaper, commencing on the 15th day of June, 1972, and ending on the 6th day of July, 1972.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me this the 6th day of July, 1972.

HAROLD ADAMS,
Notary Public.

My commission expires April 7, 1973.

By Messrs. Falkenburg, Boles, Jones (E), Erdreich, Adwell, Dill, Timmons, Boutwell and Waggoner:

H. 649. To amend further Section 2 of Act No. 695, H. 1072, Regular Session 1951, an act relating to the registration and purgation of voters in counties having populations of 400,000 or more (Acts 1950-1951, v. 2, p. 1198).

Local Legislation No. 2.

By Messrs. Wallace, Doss, Adwell, Erdreich, McBride, Hughes, Falkenburg, Dill, Jones (E), Timmons, Boles, McNair, McMillan, Meeks, Weeks, Waggoner, Boutwell and Ellis (with notice and proof):

H. 650. To alter and extend the boundaries of the City of Tarrant City, in the County of Jefferson, State of Alabama: To provide for an election to submit to the qualified voters of the territory to be annexed to said City of Tarrant City for their approval or rejection of such alteration and extension.

Local Legislation No. 2.

Notice and Proof H. 650:

Notice is hereby given of intention to apply at the Regular Session of the Legislature of Alabama of 1973 for the adoption of an act which will be as follows:

AN ACT

To alter and extend the boundaries of the City of Tarrant City, in the County of Jefferson, State of Alabama: To provide for an election to submit to the qualified voters of the territory to be annexed to said City of Tarrant City for their approval or rejection of such alterations and extension.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Tarrant City, in the County of Jefferson, State of Alabama, are, subject to the other provisions hereof, hereby altered and extended so that said boundaries shall include within the corporate limits of said City all of the following described property not presently located in said City, to-wit:

Begin at the NW corner of the present Tarrant City Limits, said point being the intersection of the Centerline of Five Mile Creek with the East ROW line of the Louisville and Nashville Railroad, situated in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 6, Township 17 South, Range 2 West, thence run N'y along said Railroad ROW a distance of 11,500 feet more or less to the intersection with the SW ROW of Black Creek Road, thence SE'y along said ROW a distance of 6,600 feet more or less to the NW ROW of the Louisville and Nashville Railroad, said Point being situated in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 32, Township 16 South, Range 2 West, thence run SW'y along said Railroad ROW a distance of 3600 feet more or less, thence South a distance

4th Day

of 1320 feet more or less to the South line of said Section 32, thence West 300 feet to the East ROW of Springdale Road, thence S'ly along said ROW a distance of 1200 feet more or less to the center of Five Mile Creek, the existing Tarrant City Limits, thence SW'ly along said Limits to the Point of Beginning.

ALSO: Begin at a point where the South line of Section 32, Township 16 South, Range 2 West intersects the Centerline of Five Mile Creek and run NE'ly along said Creek a distance of 3700 feet more or less to the intersection of said Creek with the North line of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 33, Township 16 South, Range 2 West, thence run East a distance of 2730 feet more or less to the NE Corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 33, thence South a distance of 6600 feet more or less to the present Tarrant City Limits, thence along the present Tarrant City Limits to the Point of Beginning.

Section 2. Within ten days after the approval of this act by the Governor, or its otherwise becoming a law, the Judge of Probate of Jefferson County, Alabama shall make and enter an order upon the minutes of said court, directing and ordering an election to be held by the qualified voters residing within the territory described, which is to be annexed to said city, said election to be held within forty days from the entry of said order. Said election shall be held to determine whether or not a majority of the voters residing within the territory above described to be annexed to said City favor the annexation to said City of said territory above described. Said Judge shall give notice of the holding of said election by publication in a newspaper of general circulation published in Jefferson County, Alabama, once a week for four weeks preceding the date of said election and also by posting notices at three public places in the part of said territory annexed to said City by this act, which notices shall state the date on which said election is to be held, the voting place or places, designated by the Judge of Probate of said county, the boundaries in which voters must reside to vote at the respective voting places, which must be within the territory annexed to said city by this act and said notices must give a description of the territory so annexed, and must state, that a map of said territory is on file in the office of the Judge of Probate of said County, open to the inspection of the public.

Section 3. The Judge of Probate of said county may designate as many places within the territory hereby annexed to said city as he may deem necessary for the convenience of the voters, and must designate the boundaries within which the voters must reside to vote at the respective voting places, and shall appoint three inspectors of elections, two clerks and one returning officer for each voting place, which inspectors shall manage the election at the respective voting places at which they are appointed as inspectors.

Section 4. Each qualified voter who has resided within the boundaries of the territory hereby annexed to said City for three months next preceding the election may vote at said election, but must vote at the voting place designated by the Judge of Probate for voters in the territory in which he resides.

Section 5. Said election must be conducted in all respects as provided by the general election laws and under the same sanction and penalties, except as changed by the provisions of this Act. There shall be no voting by absentee ballot.

Section 6. The Judge of Probate shall furnish ballots for such election with the following words written or printed thereon:

"For Annexation", if the voter desires to vote in favor of annexing the territory to the City, or "Against Annexation", if the voter desires to vote against annexing the territory to the City. It shall not be necessary for the ballot to be of any particular size, form or color, but sufficient ballots shall be provided for the accommodation of all prospective voters at the several voting places.

Section 7. The inspectors at the respective voting places must, as soon as the polls are closed, ascertain and certify the results of the election at their respective voting places to the Judge of Probate and deliver the same to the returning officer, who must at once return the same to the Judge of Probate and said Judge must canvass the returns as made by the inspectors, and if it appears that a majority of the votes cast at the election were "for annexation", said judge shall make and enter an order on the records of said Probate Court recording such facts, and from the time of the entry of such order this act shall be fully effective and the boundaries of said City of Tarrant City shall be as above set forth. If it appears that a majority of the votes cast at the election are "against annexation", the Judge of Probate shall make and enter an order on the records of said court recording such fact, and this act shall not be effective, and the boundaries of said City shall be and remain as they were before the passage of this act.

Section 8. The result of such election may be contested by any qualified elector voting at the election under the same provisions as are provided by general law for contesting the election of a Justice of the Peace, making the City the contestee. The City of Tarrant City shall pay all costs and expenses incident to the election.

Section 9. The Probate Judge shall be entitled to the same fees for his services performed under the provisions hereof as he is authorized by law to charge and collect for similar services rendered by him, and all other officers shall be entitled to the same compensation for services rendered by them, as they are authorized by law to charge and collect for similar services rendered by them, and said City of Tarrant City shall pay all costs and expenses, except in the case of a contest as herein provided.

Section 10. This Act shall become effective immediately upon its passage and approved by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor Abercrombie Foster who, by me duly sworn, deposes and says that she is the Publisher of ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of general circulation, published and printed in Jefferson County, Alabama, and which has been in continuous weekly publication since 1918, And that there was published in said newspaper in the issues of April 21, 28, May 5, 12, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

REGULAR SESSION
4th Day

329

Sworn and subscribed to on this the 14th day of May, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Waggoner and Robertson:

H. 651. To further provide for the authority of police officers appointed pursuant to the provisions of Section 500 of Title 52 of the Code of Alabama of 1940, as amended and Act No. 1125 adopted at the 1969 Regular Session of the Legislature of Alabama.

Judiciary.

By Mr. Hardin:

H. 652. Relating to counties having a population of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census, so as to authorize the county commission of such counties to pay from the general funds of the county the salary or salaries of any additional clerks hired for the various elected officials of such counties.

Local Legislation No. 1.

By Messrs. Doss, Drake, Bowers, Falkenburg, Gafford, Boutwell, McBride, Ellis, Jones (E), Dill, Wallace, Erdreich, Casey, Manley, Harris, Jones (F), Merrill, Timmons, Smith (P), Lutz, Adwell, Naramore, Stewart, Waggoner, Carnes, Brassell, Headley, Mims, Roberts, Wood, O'Daniel, Perloff, Bank, Grey (D), Reid (R), Hale, Goodwin, Reynolds, Crowe, Flippo, Hill, Parker, McCluskey, Nettles, St. John, Adams, Waldrop, King, Hearn, Boles, Agee, Wynot, Grainger, Collins, Weeks, Chesnut, Culver, McMillan, Hughes and McNair.

H. 653. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945 p. 478), an act providing for appointment and designation of Supernumerary Circuit Judges.

Ways and Means.

By Messrs. Hale, Hearn, Ellis, Erdreich, Adwell, King, Cross, Wynot, Carnes, Carter, Roberts, Warren, Nettles, Agee and Barkett:

H. 654. To provide for the punishment of persons causing death to any person by reason of driving a motor vehicle while intoxicated.

Judiciary.

By Messrs. Pruitt and Manley (With Notice and Proof):

H. 655. To amend Section 8 of Act No. 261, H. 571, Regular Session 1947, (Local Acts 947, p. 187), as amended, which act provides for the maximum compensation of the county engineer of Sumter County.

Local Legislation No. 1.

Notice and Proof H. 655:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 8 of Act No. 261, H. 571, Regular Session 1947 (Local Acts 1947, p. 187), as amended, which act provides for the maximum compensation of the county engineer of Sumter County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 8 of Act No. 261, H. 571, Regular Session 1947 (Local Acts 1947, p. p. 187), as amended, is hereby further amended to read as follows:

"Section 8. COUNTY ENGINEER. The Board of Commissioners shall appoint a county engineer in accordance with Title 12, Section 67 of the 1940 Code. The engineer shall serve at the will and pleasure of the board and shall be paid not less than three thousand dollars (\$3,000) nor more than fourteen thousand dollars (\$14,000) per year. Subject to general supervision and control by the Board of Commissioners, the engineer shall have charge of the construction and maintenance of all county roads and bridges. The county engineer shall have the power, and it shall be his duty to: (1) employ, shall have charge of the compensation for such workmen, laborers, and overseers as are necessary to construct, repair and maintain the roads and bridges of the county; (2) supervise and control the location, placement, use, operation, and disposition of all road and bridge materials, supplies, tools, machinery, and equipment; (3) make recommendations concerning the location and extent of road and bridge construction and maintenance projects; (4) perform such engineering and surveying services as may be required by the Board of Commissioners; (5) Maintain adequate accounting records; (6) perform such other duties as may be necessary in the operation of the county highway system. The county engineer shall utilize the road equipment, materials, and labor force in accordance with the needs of the entire county for road construction and maintenance, with out regard to any district boundaries."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 27, Feb. 3, Feb. 10, and Feb. 17, all in the year 1972.

DICK SMITH.

Sworn to and subscribed before me May 25, 1973.

CARLTON E. VAUGHAN,
Notary Public, Sumter Co. Alabama.

By Messrs. Pruitt and Manley (With Notice and Proof):

H. 656. Relating to The Sumter County Commission, providing for the payment of additional expense allowances of members of the county commission or like governing body of Sumter County.

Local Legislation No. 1.

Notice and Proof H. 656:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to The Sumter County Commission, providing for the payment of additional expense allowances of members of the county commission or like governing body of Sumter County.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply to Sumter County.

Section 2. The members of the county commissions or like governing body of said Sumter County shall each be entitled to receive from the county treasury the sum of \$300.00 per month for expenses incurred in the performance of official duties, within Sumter County, which allowances shall be in addition to all other compensation and allowances now provided by law. The chairman or president of the Sumter County Commission or governing body of Sumter County shall be entitled to receive from the county treasury the sum of \$350.00 per month for expenses incurred in the performances of his official duties within Sumter County, which allowances shall be in addition to all other compensation and allowances now provided by law. Such allowances shall be paid at the end of each month on warrants approved by the like governing body of the county on any funds in the county treasury not otherwise appropriated.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall take effect on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who, being by me first duly

sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 27, Feb. 3, 10, and 17, all in the year 1972.

DICK SMITH.

Sworn to and subscribed before me May 25, 1973.

CARLTON E. VAUGHAN,
Notary Public, Sumter Co., Alabama.

By Messrs. Pruitt and Manley (With Notice and Proof):

H. 657. To permit banks now or hereafter situated in Sumter County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 657:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To permit banks now or hereafter situated in Sumter County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Section 1. Any bank, whether incorporated or unincorporated, within this state, now or hereafter situated in Sumter County, shall have the power to establish, maintain, and operate within the limits of said county, where the principal place of business of such bank is situated, one or more branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business for the receipt of deposits, payments of checks, lending of money and the conduct of a general banking and trust business, provided that such bank before the establishment of any such branch or branches, shall first secure the written consent thereto of the state superintendent of banks.

Section 2. The provisions of Code of Alabama 1940, Title 5, Section 125, which conflict with this Act are specifically repealed as to the county in which this Act applies, and all other laws, general or local in conflict herewith are also repealed as to such county.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

REGULAR SESSION
4th Day

333

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared John S. Neel, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Home Record, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 2-21-73, 2-28-73, 3-7-73, and 3-14, all in the year 1973.

JOHN S. NEEL.

Sworn to and subscribed before me March 15, 1973.

FRANCES O. COBB,
Notary Public.

By Messrs. Pruitt and Manley (With Notice and Proof):

H. 658. Relating to Sumter County, providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations and in certain cases of game, fish and conservation law violations.

Local Legislation No. 1.

Notice and Proof H. 658:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Sumter County, providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations and in certain cases of game, fish and conservation law violations.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Sumter County of violations of the rules of the road or the laws of this state relating to or regulating traffic or the operation of motor vehicles upon the highways of this state, when the arrest which initiated the case is made by a state trooper or other state law enforcement officer, shall be paid into the general fund of Sumter County, and the remainder shall be remitted by the proper authorities to the state treasurer who shall credit the same to the proper fund in the state treasury.

Section 2. Fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Sumter County of violations of the game, fish and other conservation laws administered by the Department of Conservation and Natural Resources or the rules and regulations promulgated thereunder shall be paid out as follows: when the arrest which initiated the criminal prosecution was made by the sheriff of Sumter County or one of his deputies the total amount of such fines and forfeitures shall be paid into the general fund of Sumter County; and when the arrest is made by some officer other than the sheriff of Sumter County or one of his deputies one-half of such fines and forfeitures shall be paid into the county general fund of Sumter County and the remainder shall be remitted by the proper authority to the state treasurer, who shall credit the same to the proper fund in the state treasury.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared David Paynor, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of The Home Record, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 28, April 4, 11, and 18, all in the year 1973.

DAVID PAYNOR.

Sworn to and subscribed before me May 7, 1973.

JOHN D. PRUITT,
Notary Public, Sumter County, Ala.

By Messrs. Manley and Pruitt (With Notice and Proof):

H. 659. To amend Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the county superintendent of education in Marengo County; and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances.

Local Legislation No. 1.

Notice and Proof H. 659:

STATE OF ALABAMA
COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the county superintendent of education in Marengo County; and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), is hereby amended to read as follows:

"Section 2. The salary of the county superintendent of education in Marengo County shall be fixed by the county board of education at an amount not less than \$12,000 nor more than \$20,000 a year. Such salary shall be payable at the time and in the manner prescribed by the general laws of Alabama regulating the payment of compensation of county superintendents of education. Each such county superintendent of education shall also be allowed travel expenses not less than \$2,000 nor more than \$4,000 a year, exclusive of extraordinary expenses. Such allowances for extraordinary expenses shall be made on the basis of each individual request therefor and in such amount as the county board of education, in its discretion, determines is reasonable under the circumstances and specifically authorizes."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Goodloe Sutton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Democrat-Reporter, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 29, April 5, 12, and 19, all in the year 1973.

GOODLOE SUTTON.

Sworn to and subscribed before me April 27, 1973.

DOROTHY C. THOMPSON,
Notary Public, State of Alabama at Large.

My Commission Expires: 2-14-1976.

By Messrs. Wise and Jackson (With Notice and Proof):

H. 660. To amend Act No. 93, H. 77, approved July 1, 1969, which authorized and requires the Court of County Commissioners, Board of Revenue or other like governing body of Geneva County to provide Clerk-hire allowances for the clerk of the circuit court, the tax assessor, and the tax collector, of Geneva County, so as to increase the amount of such allowances.

Local Legislation No. 1.

Notice and Proof H. 660:

STATE OF ALABAMA
COUNTY OF GENEVA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama at its regular session in May, 1973, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 93, H. 77, approved July 1, 1969, which authorized and requires the Court of County Commissioners, Board of Revenue or other like governing body of Geneva County to provide Clerk-hire allowances for the clerk of the circuit court, the tax assessor, and the tax collector, of Geneva County, so as to increase the amount of such allowances.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 93, H. 77, approved July 1, 1969 (Acts 1969, v. 1, page 376) is hereby amended so as to read as follows:

"The Geneva County Commission, Board of Revenue or other like governing body of Geneva County is hereby authorized to provide for the clerk of the circuit court, the tax assessor, and the tax collector, of Geneva County a clerk-hire allowance of Three Thousand, Nine Hundred (\$3,900.00) Dollars for each year. The allowance shall be paid from the county treasury in equal monthly installments, on vouchers signed by the officer entitled to the allowance."

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first

REGULAR SESSION
4th Day

337

duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 19, April 26, May 3, and May 10, all in the year 1973.

ORSEN B. SPIVEY.

Sworn to and subscribed before me May 18, 1973.

O. T. SPIVEY,
Notary Public.

By Messrs. Barron, Hobbie, Headley and Taylor:

H. 661. To require that all motor vehicles or trailers which receive damages due to bullets or other weapons, or any accident involving death or personal injury to any passengers, or any accident involving damage to the vehicle of any driver involved in any accident, shall be investigated by an officer of the Department of Public Safety or other law enforcement agency which is authorized to enforce motor vehicle laws in the county in which such accidents occur, and to affix a damage release sticker to such vehicles; to prohibit the repair of damaged vehicles that do not have such stickers; prescribing penalties for the violation of this act.

Judiciary.

By Messrs. Taylor, Hobbie, Jones (F), Barron, Roberts, Wynot, Smith (P), Reed (T), Edwards, O'Daniel and Gray (F):

H. 662. To provide that the pension paid to retired state employees from the State Employees Retirement System shall be adjusted according to the consumer price index; and to provide the method for determining the percentage change in said price index.

Ways and Means.

By Messrs. Jones (F), O'Daniel, Taylor, Barron and Hobbie:

H. 663. To create a mosquito abatement district in any two contiguous counties on the Alabama River having a combined population of not less than 200,000, according to the most recent federal decennial census for the purpose of controlling and abating mosquitoes and other vectors; to provide a mosquito control board for administrative purposes and to prescribe its authority; to provide for the appointment, number and terms of its members; to authorize the governing bodies of any county, city or town within the district to appropriate public funds for the purposes of this act.

Local Legislation No. 4.

By Messrs. Coshatt and Reid (R):

H. 664. To provide for a secretarial assistant to the circuit judge of all judicial circuits having one judge and composed of two counties and the total combined population of both counties being not less than 50,000 nor more than 70,000 according to the most recent decennial census.

Local Legislation No. 1.

By Mr. Brassell:

H. 665. To provide further for the compensation of deputy sheriffs and the jailer in counties having populations of not less than 42,000 nor more than 49,500.

Local Legislation No. 1.

By Messrs. Manley and Pruitt:

H. 666. To amend Section 28E of Act No. 91, H. 22, 1969 Special Session, (Acts 1969, p. 135) which relates to the capital outlay appropriation in the amount of \$100,000.00 granted to every school board within the State of Alabama, so as to authorize any school board in Marengo County to expend such funds for any educational purpose they desire; to make the provisions of this Act retroactive.

Ways and Means.

By Messrs. Manley and Pruitt:

H. 667. To provide for the adoption of adult persons and to declare the rights of the adopter and the adopted person.

Judiciary.

By Mr. Grey (D) (With Notice and Proof):

H. 668. To alter, rearrange and extend the corporate limits of the Town of Detroit, Lamar County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 668:

PUBLIC NOTICE

STATE OF ALABAMA LAMAR COUNTY

Notice is hereby given that a bill in substantially the following form will be introduced in the Legislature of the State of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the corporate limits of the Town of Detroit, Lamar County, Alabama:

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the Town of Detroit, Lamar County, Alabama, be altered, rearranged and extended to include the following territory:

The Southeast one-fourth and the Southeast one-fourth of Southwest one-fourth, Section 12; the North one-half of Section 13 and the East one-half of Northeast one-fourth, Section 14, all in Township 12 South, Range 16 West.

The West one-half of Southeast one-fourth of Northwest one-fourth; the East one-half of Southwest one-fourth of Northwest one-fourth; the West one-half of Northeast one-fourth of Southwest one-fourth and the West one-half of Southwest one-fourth of Section 7; the West one-half of Northwest one-fourth, Section 18, all in Township 12 South, Range 15 West.

Section 2. That all laws and parts of laws, general, special and local, in conflict with this Act, be and the same are hereby repealed.

Section 3. This Act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAMAR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rex Rainwater, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 5, 12, 19, and 26, all in the year 1973.

REX RAINWATER.

Sworn to and subscribed before me April 26, 1973.

PATRICIA BRYANT,
Notary Public 3/17/76.

By Messrs. Pruitt, McCorquodale and Lyons:

H. 669. To amend Section 2 of Act No. 63 passed at the Extraordinary Session of the Legislature of Alabama of 1971 and approved April 27, 1971, relating to the uniform disposition of unclaimed and abandoned property, so as to provide for the disposition of traveler's checks and money orders that have been outstanding for more than 15 years from the date of issuance; to amend Section 11 of said Act to provide for the omission from the report required by Section 11 of certain information as to traveler's checks and money orders; to amend Section 12 of said Act so as to exempt sums payable on traveler's checks and money orders from the provisions of Section 12; and to amend Section 13 of said Act in the case of sums payable on traveler's checks or money orders presumed abandoned, to provide for the payment of such sums within 20 days after the filing of the report required by Section 11.

Ways and Means.

By Messrs. Agee and McCorquodale (With Notice and Proof):

H. 670. To permit banks now or hereafter situated in Washington County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 670:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF WASHINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To permit banks now or hereafter situated in Washington County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank, whether incorporated or unincorporated, within this state, now or hereafter situated in Washington County, shall have the power to establish, maintain, and operate within the limits of said county, where the principal place of business of such bank is situated, one or more branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business for the receipt of deposits, payments of checks, lending of money and the conduct of a general banking and trust business, provided that such bank before the establishment of any such branch or branches, shall first secure the written consent thereto of the state superintendent of banks.

Section 2. The provisions of Code of Alabama 1940, Title 5, Section 125, which conflict with this Act are specifically repealed as to the county in which this Act applies, and all other laws, general or local in conflict herewith are also repealed as to such county.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WASHINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dalton Jackson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Call-News Dispatch, a newspaper of general circulation published in Washington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 5, 12, 19, and 26, all in the year 1973.

DALTON JACKSON.

REGULAR SESSION
4th Day

341

Sworn to and subscribed before me April 27, 1973.

ANNETTE R. BAXTER,
Notary Public.

By Messrs. Agee and McCorquodale:

H. 671. Relating to counties having a population of not less than 16,000 nor more than 16,250 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

By Messrs. Agee and Roberts:

H. 672. Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts of certain fees; amending the reciprocity requirements; to allow the board to set additional requirements for renewal of licenses; amending the procedures for the issuing of licenses; to provide that all contracts of insurance or policies of insurance or plans or agreements for health services issued or delivered in this state shall cover and include the services performed by podiatrists under this act; amending Section 1, 8, 10, 11, 15 and 17 of Act. No. 741, S. 388, Regular Session of 1967 (Acts 1967, p. 1586).

Health.

By Messrs. Bank, Weeks, Falkenburg and Culver:

H. 673. To amend Act No. 582 of Regular Session, 1963, (Acts 1963, Pg. 1266), pertaining to ionizing radiation control by adding a prohibition of announcing inspections, by adding civil penalties, by adding criminal penalties, by adding the posting of bonds, by providing for the delegation of authority, by designating the Radiation Control Agency for the purposes of the Federal Occupational Safety and Health Act of 1970, P. L. 91-596, by establishing the Radiation Reclamation Fund and providing for appropriations therefrom.

Health.

By Messrs. Bank, Falkenburg, Weeks and Culver:

H. 674. Further amending Code of Alabama 1940, Title 22, Section 93, relating to Vital Statistics, providing for accurate reporting data for divorces in order for Alabama to remain a registration district in the United States.

Health.

By Messrs. Bank, Weeks, Falkenburg and Culver:

H. 675. Relating to the Public Health Vital Statistics system prescribing duties and responsibilities for persons who have had transexual surgery. Developing a system for adequate transition of vital records to reflect medical changes.

Health.

By Messrs. Bank, Falkenburg, Weeks and Culver:

H. 676. Further amending Code of Alabama 1940, Title 22, Section 204 (42)(b), 204(46), and 204(51); relating to Hospital Licensure.

Health.

By Messrs. Bank, Falkenburg, Weeks and Culver:

H. 677. Further amending Code of Alabama 1940, Title 22, Sections 23, 24, 25, 26, 27, 28, 29, 30, 31 and adding Section 31 (1), relating to Vital Statistics; providing for registration of death by the funeral director and filing a certificate of death by the attending physician or coroner in certain cases.

Health.

By Messrs. Bank, Falkenburg, Weeks and Culver:

H. 678. Relating to Public Health, seeking one-time Legislative appropriation of \$50,000 to aid municipalities and/or water suppliers desiring communal fluoridation for the prevention of tooth decay; prescribing the administration of said funds by the State Board of Health.

Health.

By Messrs. Bank, Falkenburg, Weeks and Culver:

H. 679. To amend Title 22, Sections 258(39), 258(41) (e), 258(46) (b) (2), 258(47) (a), 258(48) (a) (2), 258(48) (a) (3), 258(49) (a) (3), 258(57) (a) (1), 258(57) (a) (4) (iii), and 258(57) (h), relating to the Alabama Uniform Controlled Substances Act, 1971.

Health.

By Messrs. Bank, Falkenburg, Weeks and Culver:

H. 680. To provide that persons employed in county health departments under provisions of the merit system council for county departments of public health shall be covered under the provisions of the State Merit System; to provide a transfer date; to provide for exceptions; to provide for severability; and to provide an effective date.

Health.

By Messrs. Collins, Downing, Roberts, Culver, Wood, Hobbie, Callahan, Timmons, Adwell, Dill, Stewart, Lutz, Erdreich, Barkett, Lang, Parker, King, Gray (F), Coshatt, Weeks, Boutwell, McBride, Waggoner, Bank, Wynot, Hearn, Jones (F) and Hardin:

H. 681. To amend further the Alcoholic Beverage Control Board Act, contained in Chapter 1, Title 29, Code of Alabama (1936-37, Ex. Sess., p. 40) as amended; in relation to the definition of "wine", taxation of wine and method of distribution and sale of certain wines in this state.

Ways and Means.

By Messrs. Collins, Downing, Roberts, Culver, Wood, Hobbie, Callahan, Timmons, Adwell, Dill, Stewart, Lutz, Erdreich, Barkett, Lang, Parker, Gray (F), King, Coshatt, Weeks, Boutwell, McBride, Waggoner, Bank, Wynot, Hearn, Jones (F) and Hardin:

H. 682. To amend further the Alcoholic Beverage Control Board Act, contained in Chapter 1, Title 29, Code of Alabama (1936-37, Ex. Sess., p.

40) as amended, as it relates to the distribution of the revenues from the table wine tax and licensing fees.

Ways and Means.

By Mr. Coshatt:

H. 683. To re-name the Moody Junior High School in Moody, Alabama, after H. L. Blocker.

Public Welfare.

By Mr. Robertson:

H. 684. To amend Title 52, Section 63, Code of Alabama 1940, as amended, which relates to the membership on county boards of education, so as to change the population bracket in the proviso providing that not more than one classroom teacher may serve on said county board.

Local Legislation No. 1.

By Messrs. Robertson and Culver:

H. 685. To amend Act No. 1434, S. 769, Regular Session 1971 (Acts 1971, p. 2459), an act relating to counties having a population of not less than 110,000 nor more than 150,000 inhabitants; fixing the salaries of chairman and associate members of the Civil Service Boards of such counties.

Local Legislation No. 1.

By Mr. Robertson:

H. 686. To amend further Act No. 56, H. 285, Regular Session, 1953 (Acts 1953, p. 76), as heretofore amended, an Act levying additional privileges and license taxes in counties having a population of not less than 115,000 nor more than 150,000 persons; so as to change the definition of hospital board and to provide for a division of the proceeds of the tax allocated for hospital purposes.

Local Legislation No. 1.

By Mr. Robertson:

H. 687. Relating to counties having a population of not less than 115,000 nor more than 150,000 inhabitants, according to the most recent federal decennial census; to prohibit any hospital that receives any public monies from charging a fee for parking on their grounds.

Local Legislation No. 1.

By Messrs. Turner, Hobbie and Cottingham:

H. 688. Relating to crimes and offenses; prohibiting the giving of false information, falsely reporting a crime, or making a false allegation against a law enforcement officer; prescribing penalties.

Judiciary.

By Messrs. Boutwell, Falkenburg, Dill, Weeks, McBride, Wallace, Gafford, Meeks and Waggoner:

H. 689. In all counties having a population of 500,000 or more ac-

4th Day

according to the last or any succeeding Federal Decennial Census. Each member of the jury board, Commission or like body shall be paid an additional sum of fifty dollars (\$50.00) per month, to be paid monthly out of the County Treasury.

Local Legislation No. 2.

By Messrs. Smith (P), Chesnut, Connell, Lang, Roberts, Reid (R), Mathews, Bank, Turnham, Wallace, O'Daniel, Jackson, Collins, Manley, Warren, Casey, Wise, Bowers, Turner, McCluskey, Crowe, Mims, Coshatt, Culver, Robertson, Brassell, Agee, Adams, Jones (F), Parker, Barkett, Stubbs, Owens, Boles, Jones (E), Stewart, Stokes, Hobbie, Carnes, Wood, Snell, Carter, Easters, Naramore, Williams, Benton, Hardin, Drake, Doss, Adwell, Wynot, McDonald, Smith (K), Goodwin, King, Gafford, Dill, Headley, Edwards, McCorquodale, Kinsey, Therrell, Boutwell, Cross, Waggoner, Harris, Reynolds, Timmons, Cottingham, Pruitt, Merrill, Taylor, Crawford, Hill, McMillan and Barron:

H. 690. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for the promotion of the production, research, distribution, marketing, use, improvement and sale of swine and swine products.

Agriculture.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Smith (P), Chesnut, Connell, Lang, Roberts, Reid (R), Mathews, McCluskey, Bank, Wallace, O'Daniel, Jackson, Collins, Turnham, Warren, Casey, Wise, Bowers, Turner, Manley, Crowe, Mims, Coshatt, Culver, Robertson, Brassell, Agee, Adams, Jones (F), Parker, Barkett, Stubbs, Owens, Boles, Jones (E), Stewart, Stokes, Hobbie, Carnes, Wood, Snell, Carter, Easters, Naramore, Williams, Benton, Hardin, Drake, Doss, Adwell, Wynot, Edwards, McDonald, Smith (K), Goodwin, King, Gafford, Dill, Headley, McCorquodale, Kinsey, Therrell, Boutwell, Cross, Waggoner, Harris, Reynolds, Timmons, Cottingham, Pruitt, Merrill, Taylor, Hill, Crawford, McMillan, and Barron:

H. 691. To authorize and provide for the promotion of the production, marketing, use and sale of swine and swine products by research, education, advertising and other methods; and prescribing a method whereby swine producers may act jointly with handlers, buyers, processors, the state board of agriculture and industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the swine producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of swine throughout the State, and providing for collection and distribution of assessments by dealers, handlers, and buyers of swine; requiring an annual permit of such dealers, processors,

and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

Agriculture.

By Mr. Connell:

H. 692. To amend Section 3 of Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, as amended, so as to appropriate, from the state's share of the net tax proceeds of the highway gasoline tax, moneys for payment, to the extent necessary therefor at their respective maturities, of the principal of and interest on bonds and notes of Alabama Turnpike Authority, and so as to make further provisions regarding the distribution of said share of the net proceeds from said tax.

Ways and Means.

By Mr. Connell:

H. 693. To amend Section 13 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, as amended (relating to the excise taxes on diesel oil and other motor fuel as defined in said act as amended), so as to provide for distribution of the net proceeds from said taxes for payment, to the extent necessary therefor at their respective maturities, of the principal of and interest on bonds and notes of Alabama Turnpike Authority.

Ways and Means.

By Messrs. Hill, Ellis, Flipppo, O'Daniel, St. John, Stokes, King, Lutz, Wood, Harris, Carter, Cross, Grainger, Gray (F), Nettles, Dill, Waggoner, Bank, Adwell, Grey (D), Goodwin, Chesnut, McBride and Hale:

H. 694. To propose an amendment to the Constitution of Alabama with respect to Article VI thereof which creates the Judicial Department of the State and prescribes the powers, duties and functions of all courts and the powers, duties, functions and qualifications of all judicial officers.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Hill:

H. 695. To amend Section 1 of Act No. 534, S. 353, General Acts of Alabama 1943 Regular Session, (1943 General Acts of Alabama, p. 508), as last amended, so as to provide deductions from sentences of less than six months and over thirty days.

Public Welfare.

By Messrs. Hill and Flipppo:

H. 696. To provide that the clerk of the court collecting solicitor's or district attorney's fees in the eleventh judicial circuit shall place such fees into a Judges' and District Attorney's Fund, and to authorize certain expenditures from such fund.

Local Legislation No. 1.

By Mr. Hill:

H. 697. To adopt minimum standard building codes for the State of Alabama; to provide for the revision of these codes; to allow local modification of these codes; and to authorize local governing bodies to enforce these codes; and to authorize the prescription and collection of the fees necessary to effect the enforcement of these codes, providing penalties for the violation of this act.

Judiciary.

H. 239 RE-REFERRED

On motion of Mr. Smith (P), the bill, H. 239, was re-referred from the Standing Committee on Local Government to the Standing Committee on Agriculture.

RESOLUTIONS

The following resolutions were introduced:

By Mr. McCorquodale:

H. J. R. 56. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, May 29, 1973.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 56, was adopted.

Also:

By Mr. Gray (F):

H. J. R. 57. "CONDEMNING THE MANNER IN WHICH THE TUSKEGEE SYPHILIS STUDY WAS CONDUCTED, REQUESTING AN END THERETO AND DEMANDING THAT THE PARTICIPANTS BE COMPENSATED BY THE UNITED STATES GOVERNMENT."

WHEREAS, the Public Health Service, an agency of the United States Government began a Study of the effect of the disease of Syphilis in 1932, and selected some six hundred (600) black, rural, uneducated males, who were residents of Macon County, Alabama, four hundred (400) of whom were affected with Syphilis; and

WHEREAS, said Alabama residents, were never advised that they had Syphilis, nor that they were participants in a Study, but were misled into believing that they were participating in a health clinic and were being treated for whatever illness they had; and

WHEREAS, to induce them to participate in said Study, the Public Health Service used various methods to maintain and stimulate their interest, including the offer of free medicine except for Syphilis, burial assistance, free hot meals on days of examination, transportation to and from the hospital on examination days and an opportunity to stop in town on return trips to shop or visit with their friends; and

WHEREAS, these Alabama residents, were never informed that they had Syphilis, and were not treated for Syphilis even after Penicillin became available; and

WHEREAS, the sole purpose of the Study was to observe the participants during their lifetime and not treat them for Syphilis so that they could compare the untreated Syphilitic persons with persons who did not have Syphilis, and thus observe the effect of Syphilis during their lifetime, and have autopsies performed on them after their death; and

WHEREAS, any number of the participants died as a direct result of having had Syphilis; and

WHEREAS, these Alabama residents have been used as human guinea pigs for a period of more than forty (40) years and were deceived by agents of the Public Health Service, and agency of the United States Government; and

WHEREAS, these Alabama residents who were participants in this study have suffered physically, economically, emotionally and socially as a result of their unwitting participation in this Study; and

WHEREAS, the Public Health Service of the United States Government has conducted this program in such a manner that for many years, the Study was not generally known to the public, and has only in recent months become known to the public generally; and

WHEREAS, the people of Alabama, the Legislature of Alabama, and the people of the nation are shocked and appalled by the manner in which the Tuskegee Syphilis Study was conducted by the Public Health Service, an agency of the United States Government; and

WHEREAS, a United States Senate Health Subcommittee is currently conducting a public hearing on "The Tuskegee Syphilis Experiment"; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama, condemns the Public Health Service, an agency of the United States Government, for the manner in which the Tuskegee Syphilis Study was conducted, and the manner in which the participants who were residents of the State of Alabama were treated, and hereby call upon the Government of the United States and all of its agencies connected therewith to end said Study forthwith.

BE IT FURTHER RESOLVED, That the Legislature of Alabama call upon the United States Congress to enact appropriate legislation or that the Government take appropriate steps toward compensating the surviving participants in the Tuskegee Study and the heirs of the deceased participants in the Tuskegee Study.

BE IT FURTHER RESOLVED, That copies of this Resolution be sent to each member of the Congressional Delegation of Alabama, to the Secretary of the Department of Health, Education and Welfare, and to Senator Edward M. Kennedy, Chairman of the Senate Health Subcommittee on the Tuskegee Syphilis Experiment.

The resolution, H. J. R. 57, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. McCluskey and Smith (P):

H. J. R. 58. COMMENDING DONALD COMER, JR., ON BEING ELECTED PRESIDENT OF THE AMERICAN TEXTILE MANUFACTURERS ASSOCIATION.

WHEREAS, Donald Comer, Jr., the president and treasurer of Avondale Mills in Sylacauga, was recently elected president of the American Textile Manufacturers Association; and

WHEREAS, Donald Comer, Jr., is a member of one of Alabama's most illustrious families, whose grandfather, Governor B. B. Comer, was Governor of the State of Alabama from 1907-1911; and

WHEREAS, Donald Comer, Jr., is the fourth member of the Comer family to be elected to this national post. His father, the late Donald Comer, Sr., served as American Textile Manufacturers president in 1936-1937; his uncle, the late Hugh Comer, was president in 1943-1944; and his first cousin, J. Craig Smith, held the office in 1953-1954; and

WHEREAS, Donald Comer, Jr., is extremely active in civic affairs being president of the Choccolocco Council, Boy Scouts of America; a past president of the Alabama Textile Manufacturers Association; a member of the Board of Governors of the Alabama Association of Independent Colleges; and a trustee of the Southern Research Institute; and

WHEREAS, Donald Comer, Jr.'s business affiliations include membership on the board of directors of the First National Bank of Birmingham; a member of the Advisory Board of the Chemical Bank of New York, and a director of the American Mutual Liberty Insurance Company; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it does commend Donald Comer, Jr. upon being elected president of the American Textile Manufacturers Association.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Donald Comer, Jr. in Sylacauga.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 58, on the Clerk's desk for one legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Pelham:

S. J. R. 21. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two houses adjourn today, they adjourn to meet again on Tuesday, May 29, 1973.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 21, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 31. RELATIVE TO ADJOURNMENT OF THE TWO HOUSES.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Messrs. Burgess, Manley and Bowers:

H. J. R. 59. TO EXPRESS THE REGRET OF THE PEOPLE OF THE STATE OF ALABAMA FOR THE DEATH OF GENERAL ALEXANDER A. VANDEGRIFT.

WHEREAS Marine Corps General Alexander A. Vandegrift died May 8, 1973 at the age of 86; and

WHEREAS General Vandegrift served his country as a commandant of the Marines, led the American invasion of Guadalcanal credited with upsetting for the first time the Japanese timetable for victory in World War II, and won the Medal of Honor and Navy Cross for his leadership in that invasion; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama hereby expresses its deep regret at the passing of General Vandegrift, takes this opportunity to acknowledge with grateful appreciation his service to this country and to extend its sympathy to the members of his family.

BE IT FURTHER RESOLVED, That the Clerk of the House transmit a copy of this resolution to the family of General Vandegrift.

On motion of Mr. Burgess, the rules were suspended and the resolution, H. J. R. 59, was adopted.

CO-SPONSORS ADDED

Unanimous consent was granted for all members of the House to have their names added as co-sponsors to the resolution, H. J. R. 59.

BILLS ON THIRD READING

And the bill:

H. 9. To repeal Act No. 2154, H. 2721, Regular Session 1971, approved October 1, 1971, entitled "An Act relating to Conecuh County; au-

4th Day

thorizing the board of education to retire teachers who have attained the age of sixty-five."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	Slate
Adwell	Drake	McBride	Smith (K)
Agee	Easters	McCluskey	Smith (P)
Barkett	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	Manley	Stubbs
Boles	Falkenburg	Mathews	Taylor
Boutwell	Fite	May	Therrell
Bowers	Gafford	Meeks	Timmons
Brassell	Goodwin	Merrill	Turner
Burgess	Grainger	Mims	Turnham
Callahan	Gray (F)	Narmore	Waggoner
Carnes	Grey (D)	Nettles	Waldrop
Carter	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Headley	Parker	Weeks
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Pruitt	Wise
Cottingham	Jackson	Reed (T)	Wynot
Crawford	Jones (E)	Reid (R)	Barron
Cross	Jones (F)	Reynolds	McNair
Culver	King	Roberts	McMillan
Dill	Kinsey	St. John	Hughes
Doss	Lang		

—94

And the bill:

H. 123. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Taylor, Houston County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Ellis	Jackson
Adwell	Collins	Erdreich	Jones (E)
Agee	Connell	Falkenburg	Jones (F)
Barkett	Coshatt	Fite	King
Bassett	Cottingham	Gafford	Kinsey
Benton	Crawford	Goodwin	Lang
Boles	Cross	Grainger	Lutz
Boutwell	Culver	Gray (F)	McBride
Bowers	Dill	Grey (D)	McCluskey
Brassell	Doss	Hale	McCorquodale
Burgess	Downing	Hardin	McDonald
Callahan	Drake	Headley	Manley
Carnes	Easters	Hill	Mathews
Carter	Edwards	Hobbie	May

4th Day

Meeks	Reed (T)	Stubbs	Warren
Merrill	Reid (R)	Taylor	Weeks
Mims	Reynolds	Therrell	Williams
Naramore	Roberts	Timmons	Wise
Nettles	St. John	Turner	Wynot
O'Daniel	Slate	Turnham	Barron
Owens	Smith (K)	Waggoner	McNair
Parker	Smith (P)	Waldrop	McMillan
Perloff	Snell	Wallace	Hughes
Pruitt	Stewart		

—94

And the bill:

H. 170. To amend Sections 4 and 5 of Act No. 196, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of the said 20th Judicial Circuit, Place No. 2; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of the said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1969, Volume 1, Page 259).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	Slate
Adwell	Drake	McBride	Smith (K)
Agee	Easters	McCluskey	Smith (P)
Barkett	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	Manley	Stubbs
Boles	Falkenburg	Mathews	Taylor
Boutwell	Fite	May	Therrell
Bowers	Gafford	Meeks	Timmons
Brassell	Goodwin	Merrill	Turner
Burgess	Grainger	Mims	Turnham
Callahan	Gray (F)	Naramore	Waggoner
Carnes	Grey (D)	Nettles	Waldrop
Carter	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Headley	Parker	Weeks
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Pruitt	Wise
Cottingham	Jackson	Reed (T)	Wynot
Crawford	Jones (E)	Reid (R)	Barron
Cross	Jones (F)	Reynolds	McNair
Culver	King	Roberts	McMillan
Dill	Kinsey	St. John	Hughes
Doss	Lang		

—94

And the bill:

H. 171. To further amend Sections 4 and 5 of Act No. 200, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to

4th Day

prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1959, Volume 1, Page 735, and as amended by Act No. 199 of the Acts of the Legislature of Alabama, 1967, Volume 1, Page 564).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	Slate
Adwell	Drake	McBride	Smith (K)
Agee	Easters	McCluskey	Smith (P)
Barkett	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	Manley	Stubbs
Boles	Falkenburg	Mathews	Taylor
Boutwell	Fite	May	Therrell
Bowers	Gafford	Meeks	Timmons
Brassell	Goodwin	Merrill	Turner
Burgess	Grainger	Mims	Turnham
Callahan	Gray (F)	Naramore	Waggoner
Carnes	Grey (D)	Nettles	Waldrop
Carter	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Headley	Parker	Weeks
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Pruitt	Wise
Cottingham	Jackson	Reed (T)	Wynot
Crawford	Jones (E)	Reid (R)	Barron
Cross	Jones (F)	Reynolds	McNair
Culver	King	Roberts	McMillan
Dill	Kinsey	St. John	Hughes
Doss	Lang		

—94

And the bill:

H. 172. To further amend Sections 4 and 5 of Act No. 201, entitled "An Act to establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Solicitor of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama." (Acts of the Legislature of Alabama, 1963, Volume 1, Page 599, and as amended by Act No. 197 of the Acts of the Legislature of Alabama, 1969, Volume 1, Page 260).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bassett	Bowers	Carnes
Adwell	Benton	Brassell	Carter
Agee	Boles	Burgess	Chesnut
Barkett	Boutwell	Callahan	Collins

REGULAR SESSION
4th Day

353

Connell	Grey (D)	Meeks	Stewart
Coshatt	Hale	Merrill	Stubbs
Cottingham	Hardin	Mims	Taylor
Crawford	Headley	Naramore	Therrell
Cross	Hill	Nettles	Timmons
Culver	Hobbie	O'Daniel	Turner
Dill	Jackson	Owens	Turnham
Doss	Jones (E)	Parker	Waggoner
Downing	Jones (F)	Perloff	Waldrop
Drake	King	Pruitt	Wallace
Easters	Kinsey	Reed (T)	Warren
Edwards	Lang	Reid (R)	Weeks
Ellis	Lutz	Reynolds	Williams
Erdreich	McBride	Roberts	Wise
Falkenburg	McCluskey	St. John	Wynot
Fite	McCorquodale	Slate	Barron
Gafford	McDonald	Smith (K)	McNair
Goodwin	Manley	Smith (P)	McMillan
Grainger	Mathews	Snell	Hughes
Gray (F)	May		

—94

And the bill:

H. 380. To limit the use of public road and bridge funds of DeKalb County.

Was taken up.

H. 380 POSTPONED

On motion of Mr. Chesnut, the bill, H. 380, was postponed to the Fifth Legislative Day.

And the bill:

H. 384. To permit banks now or hereafter situated in Bibb County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Collins	Falkenburg	King
Adwell	Connell	Fite	Kinsey
Agee	Coshatt	Gafford	Lang
Barkett	Cottingham	Goodwin	Lutz
Bassett	Crawford	Grainger	McBride
Benton	Cross	Gray (F)	McCluskey
Boles	Culver	Grey (D)	McCorquodale
Boutwell	Dill	Hale	McDonald
Bowers	Doss	Hardin	Manley
Brassell	Downing	Headley	Mathews
Burgess	Drake	Hill	May
Callahan	Easters	Hobbie	Meeks
Carnes	Edwards	Jackson	Merrill
Carter	Ellis	Jones (E)	Mims
Chesnut	Erdreich	Jones (F)	Naramore

4th Day

Nettles	Roberts	Therrell	Weeks
O'Daniel	St. John	Timmons	Williams
Owens	Slate	Turner	Wise
Parker	Smith (K)	Turnham	Wynot
Perloff	Smith (P)	Waggoner	Barron
Pruitt	Snell	Waldrop	McNair
Reed (T)	Stewart	Wallace	McMillan
Reid (R)	Stubbs	Warren	Hughes
Reynolds	Taylor		

—94

And the bill:

H. 415. To provide for branch banks or branch offices of banks in Henry County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	Slate
Adwell	Drake	McBride	Smith (K)
Agee	Easters	McCluskey	Smith (P)
Barkett	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	Manley	Stubbs
Boles	Falkenburg	Mathews	Taylor
Boutwell	Fite	May	Therrell
Bowers	Gafford	Meeks	Timmons
Brassell	Goodwin	Merrill	Turner
Burgess	Grainger	Mims	Turnham
Callahan	Gray (F)	Naramore	Waggoner
Carnes	Grey (D)	Nettles	Waldrop
Carter	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Headley	Parker	Weeks
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Pruitt	Wise
Cottingham	Jackson	Reed (T)	Wynot
Crawford	Jones (E)	Reid (R)	Barron
Cross	Jones (F)	Reynolds	McNair
Culver	King	Roberts	McMillan
Dill	Kinsey	St. John	Hughes
Doss	Lang		

—94

And the bill:

H. 451. To authorize the governing bodies of counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census to make expenditures from the general funds of such counties to purchase judicial robes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bassett	Bowers	Carnes
Adwell	Benton	Brassell	Carter
Agee	Boles	Burgess	Chesnut
Barkett	Boutwell	Callahan	Collins

4th Day

Connell	Grey (D)	Meeks	Stewart
Coshatt	Hale	Merrill	Stubbs
Cottingham	Hardin	Mims	Taylor
Crawford	Headley	Naramore	Therrell
Cross	Hill	Nettles	Timmons
Culver	Hobbie	O'Daniel	Turner
Dill	Jackson	Owens	Turnham
Doss	Jones (E)	Parker	Waggoner
Downing	Jones (F)	Perloff	Waldrop
Drake	King	Pruitt	Wallace
Easters	Kinsey	Reed (T)	Warren
Edwards	Lang	Reid (R)	Weeks
Ellis	Lutz	Reynolds	Williams
Erdreich	McBride	Roberts	Wise
Falkenburg	McCluskey	St. John	Wynot
Fite	McCorquodale	Slate	Barron
Gafford	McDonald	Smith (K)	McNair
Goodwin	Manley	Smith (P)	McMillan
Grainger	Mathews	Snell	Hughes
Gray (F)	May		

—94

And the bill:

H. 453. To set a monthly expense allowance for members of city boards of education of municipalities located in counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	Slate
Adwell	Drake	McBride	Smith (K)
Agee	Easters	McCluskey	Smith (P)
Barkett	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	Manley	Stubbs
Boles	Falkenburg	Mathews	Taylor
Boutwell	Fite	May	Therrell
Bowers	Gafford	Meeks	Timmons
Brassell	Goodwin	Merrill	Turner
Burgess	Grainger	Mims	Turnham
Callahan	Gray (F)	Naramore	Waggoner
Carnes	Grey (D)	Nettles	Waldrop
Carter	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Headley	Parker	Weeks
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Pruitt	Wise
Cottingham	Jackson	Reed (T)	Wynot
Crawford	Jones (E)	Reid (R)	Barron
Cross	Jones (F)	Reynolds	McNair
Culver	King	Roberts	McMillan
Dill	Kinsey	St. John	Hughes
Doss	Lang		

—94

And the bill:

H. 454. To alter, rearrange and extend the boundaries of the City of Gadsden, so as to include within the corporate limits thereof certain property consisting of a part of Section 15, Township 12 South, Range 6 East, and including all or portions of the NE¼, Fraction "A" and Fraction "B", north and south of the Cherokee Indian Boundary Line, and including all of those properties of Gadsden State Junior College and the Alabama School of Trades not now within the corporate limits of the City of Gadsden, as well as those portions of the Coosa River and adjacent areas below 511.0 elevation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Drake	Lutz	Slate
Adwell	Easters	McBride	Smith (K)
Agee	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Gafford	May	Therrell
Brassell	Goodwin	Meeks	Timmons
Burgess	Grainger	Merrill	Turner
Callahan	Gray (F)	Mims	Turnham
Carnes	Grey (D)	Naramore	Waggoner
Carter	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Williams
Cottingham	Jackson	Pruitt	Wise
Crawford	Jones (E)	Reed (T)	Wynot
Cross	Jones (F)	Reid (R)	Barron
Culver	King	Reynolds	McNair
Dill	Kinsey	Roberts	McMillan
Doss	Lang	St. John	Hughes
Downing			

—93

And the bill:

H. 498. To supplement the Solicitor's (District Attorney's) Fund in counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; to provide for the appropriation of moneys to said fund from Solicitor's fees taxed and collected in all criminal cases in both circuit and county courts within said counties; and to authorize expenditures of said fund by the Circuit Solicitor (District Attorney) for law enforcement and the discharge of the duties of this office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boles	Brassell
Adwell	Bassett	Boutwell	Burgess
Agee	Benton	Bowers	Callahan

4th Day

Carnes	Goodwin	Mathews	Snell
Carter	Grainger	May	Stewart
Chesnut	Gray (F)	Meeks	Stubbs
Collins	Grey (D)	Merrill	Taylor
Connell	Hale	Mims	Therrell
Coshatt	Hardin	Naramore	Timmons
Cottingham	Headley	Nettles	Turner
Crawford	Hill	O'Daniel	Turnham
Cross	Hobbie	Owens	Waggoner
Culver	Jackson	Parker	Waldrop
Dill	Jones (E)	Perloff	Wallace
Doss	Jones (F)	Pruitt	Warren
Downing	King	Reed (T)	Weeks
Drake	Kinsey	Reid (R)	Williams
Easters	Lang	Reynolds	Wise
Edwards	Lutz	Roberts	Wynot
Ellis	McBride	St. John	Barron
Erdreich	McCluskey	Slate	McNair
Falkenburg	McCorquodale	Smith (K)	McMillan
Fite	McDonald	Smith (P)	Hughes
Gafford	Manley		

—94

And the bill:

H. 525. Relating to counties having a population of not less than 54,500 nor more than 56,000 inhabitants according to the most recent federal decennial census; to authorize the county and any city governing bodies within such counties to establish a historic development commission and to adopt ordinances and regulations to protect historic architectural character and preserve the general historic character of the county and cities therein by allowing the designation of historic districts, areas and sites and adopting other provisions necessary to carry out the purposes of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hardin	Merrill
Adwell	Cross	Headley	Mims
Agee	Culver	Hill	Naramore
Barkett	Dill	Hobbie	Nettles
Bassett	Doss	Jackson	O'Daniel
Benton	Downing	Jones (E)	Owens
Boles	Drake	Jones (F)	Parker
Boutwell	Easters	King	Perloff
Bowers	Edwards	Kinsey	Pruitt
Brassell	Ellis	Lang	Reed (T)
Burgess	Erdreich	Lutz	Reid (R)
Callahan	Falkenburg	McBride	Reynolds
Carnes	Fite	McCluskey	Roberts
Carter	Gafford	McCorquodale	St. John
Chesnut	Goodwin	McDonald	Slate
Collins	Grainger	Manley	Smith (K)
Connell	Gray (F)	Mathews	Smith (P)
Coshatt	Grey (D)	May	Snell
Cottingham	Hale	Meeks	Stewart

4th Day

Stubbs	Turnham	Weeks	Barron
Taylor	Waggoner	Williams	McNair
Therrell	Waldrop	Wise	McMillan
Timmons	Wallace	Wynot	Hughes
Turner	Warren		

—94

And the bill:

H. 219. Relating to counties having a population of not less than 30,000 nor more than 33,575 inhabitants according to the most recent federal decennial census, so as to further provide for the compensation of the superintendent of education of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	Slate
Adwell	Drake	McBride	Smith (K)
Agee	Easters	McCluskey	Smith (P)
Barkett	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	Manley	Stubbs
Boles	Falkenburg	Mathews	Taylor
Boutwell	Fite	May	Therrell
Bowers	Gafford	Meeks	Timmons
Brassell	Goodwin	Merrill	Turner
Burgess	Grainger	Mims	Turnham
Callahan	Gray (F)	Naramore	Waggoner
Carnes	Grey (D)	Nettles	Waldrop
Carter	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Headley	Parker	Weeks
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Pruitt	Wise
Cottingham	Jackson	Reed (T)	Wynot
Crawford	Jones (E)	Reid (R)	Barron
Cross	Jones (F)	Reynolds	McNair
Culver	King	Roberts	McMillan
Dill	Kinsey	St. John	Hughes
Doss	Lang		

—94

And the bill:

H. 446. Relating to Marion County; to further regulate branch banking in such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Boles	Carnes	Cottingham
Adwell	Boutwell	Carter	Crawford
Agee	Bowers	Chesnut	Cross
Barkett	Brassell	Collins	Culver
Bassett	Burgess	Connell	Dill
Benton	Callahan	Coshatt	Doss

4th Day

Downing	Jackson	Nettles	Taylor
Drake	Jones (E)	O'Daniel	Therrell
Easters	Jones (F)	Owens	Timmons
Edwards	King	Parker	Turner
Ellis	Kinsey	Perloff	Turnham
Erdreich	Lang	Pruitt	Waggoner
Falkenburg	Lutz	Reed (T)	Waldrop
Fite	McBride	Reid (R)	Wallace
Gafford	McCluskey	Reynolds	Warren
Goodwin	McCorquodale	Roberts	Weeks
Grainger	McDonald	St. John	Williams
Gray (F)	Manley	Slate	Wise
Grey (D)	Mathews	Smith (K)	Wynot
Hale	May	Smith (P)	Barron
Hardin	Meeks	Snell	McNair
Headley	Merrill	Stewart	McMillan
Hill	Mims	Stubbs	Hughes
Hobbie	Naramore		

—94

And the bill:

H. 455. Relating to Marion County: To provide for an additional expense allowance for each member of the Marion County Commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	Slate
Adwell	Drake	McBride	Smith (K)
Agee	Easters	McCluskey	Smith (P)
Barkett	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	Manley	Stubbs
Boles	Falkenburg	Mathews	Taylor
Boutwell	Fite	May	Therrell
Bowers	Gafford	Meeks	Timmons
Brassell	Goodwin	Merrill	Turner
Burgess	Grainger	Mims	Turnham
Callahan	Gray (F)	Naramore	Waggoner
Carnes	Grey (D)	Nettles	Waldrop
Carter	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Headley	Parker	Weeks
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Pruitt	Wise
Cottingham	Jackson	Reed (T)	Wynot
Crawford	Jones (E)	Reid (R)	Barron
Cross	Jones (F)	Reynolds	McNair
Culver	King	Roberts	McMillan
Dill	Kinsey	St. John	Hughes
Doss	Lang		

—94

And the bill:

H. 456. To provide further for the compensation of the deputy district attorney for Marion County.

4th Day

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	Slate
Adwell	Drake	McBride	Smith (K)
Agee	Easters	McCluskey	Smith (P)
Barkett	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	Manley	Stubbs
Boles	Falkenburg	Mathews	Taylor
Boutwell	Fite	May	Therrell
Bowers	Gafford	Meeks	Timmons
Brassell	Goodwin	Merrill	Turner
Burgess	Grainger	Mims	Turnham
Callahan	Gray (F)	Naramore	Waggoner
Carnes	Grey (D)	Nettles	Waldrop
Carter	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Headley	Parker	Weeks
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Pruitt	Wise
Cottingham	Jackson	Reed (T)	Wynot
Crawford	Jones (E)	Reid (R)	Barron
Cross	Jones (F)	Reynolds	McNair
Culver	King	Roberts	McMillan
Dill	Kinsey	St. John	Hughes
Doss	Lang		

—94

And the bill:

H. 458. Relating to Marion County; to provide for the monthly salary and expense allowance of the chief deputy sheriff and all additional deputy sheriffs in said county; repealing conflicting legislation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Grainger	McCorquodale
Adwell	Cottingham	Gray (F)	McDonald
Agee	Crawford	Grey (D)	Manley
Barkett	Cross	Hale	Mathews
Bassett	Culver	Hardin	May
Benton	Dill	Headley	Meeks
Boles	Doss	Hill	Merrill
Boutwell	Downing	Hobbie	Mims
Bowers	Drake	Jackson	Naramore
Brassell	Easters	Jones (E)	Nettles
Burgess	Edwards	Jones (F)	O'Daniel
Callahan	Ellis	King	Owens
Carnes	Erdreich	Kinsey	Parker
Carter	Falkenburg	Lang	Perloff
Chesnut	Fite	Lutz	Pruitt
Collins	Gafford	McBride	Reed (T)
Connell	Goodwin	McCluskey	Reid (R)

REGULAR SESSION

361

4th Day

Reynolds	Stewart	Waggoner	Wise
Roberts	Stubbs	Waldrop	Wynot
St. John	Taylor	Wallace	Barron
Slate	Therrell	Warren	McNair
Smith (K)	Timmons	Weeks	McMillan
Smith (P)	Turner	Williams	Hughes
Snell	Turnham		

—94

And the bill:

H. 459. To make an appropriation from the Marion County treasury for the relief of Olen Gann.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	Slate
Adwell	Drake	McBride	Smith (K)
Agee	Easters	McCluskey	Smith (P)
Barkett	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	Manley	Stubbs
Boles	Falkenburg	Mathews	Taylor
Boutwell	Fite	May	Therrell
Bowers	Gafford	Meeks	Timmons
Brassell	Goodwin	Merrill	Turner
Burgess	Grainger	Mims	Turnham
Callahan	Gray (F)	Naramore	Waggoner
Carnes	Grey (D)	Nettles	Waldrop
Carter	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Headley	Parker	Weeks
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Pruitt	Wise
Cottingham	Jackson	Reed (T)	Wynot
Crawford	Jones (E)	Reid (R)	Barron
Cross	Jones (F)	Reynolds	McNair
Culver	King	Roberts	McMillan
Dill	Kinsey	St. John	Hughes
Doss	Lang		

—94

And the bill:

H. 460. To further amend Section 5 of Act No. 82, H. 250, Regular Session 1935, approved June 3, 1935 (Local Acts 1935, p. 18), as last amended, an act relating to the County Superintendent of Education of Marion County so as to provide further for the salary of such superintendent.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bassett	Bowers	Carnes
Adwell	Benton	Brassell	Carter
Agee	Boles	Burgess	Chesnut
Barkett	Boutwell	Callahan	Collins

4th Day

Connell	Grey (D)	Meeks	Stewart
Coshatt	Hale	Merrill	Stubbs
Cottingham	Hardin	Mims	Taylor
Crawford	Headley	Naramore	Therrell
Cross	Hill	Nettles	Timmons
Culver	Hobbie	O'Daniel	Turner
Dill	Jackson	Owens	Turnham
Doss	Jones (E)	Parker	Waggoner
Downing	Jones (F)	Perloff	Waldrop
Drake	King	Pruitt	Wallace
Easters	Kinsey	Reed (T)	Warren
Edwards	Lang	Reid (R)	Weeks
Ellis	Lutz	Reynolds	Williams
Erdreich	McBride	Roberts	Wise
Falkenburg	McCluskey	St. John	Wynot
Fite	McCorquodale	Slate	Barron
Gafford	McDonald	Smith (K)	McNair
Goodwin	Manley	Smith (P)	McMillan
Grainger	Mathews	Snell	Hughes
Gray (F)	May		

—94

And the bill:

H. 461. To authorize any bank situated in an incorporated municipality in Marion County, Alabama to establish, operate and maintain branch banks or additional offices or places of business within said incorporated municipality.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	Slate
Adwell	Drake	McBride	Smith (K)
Agee	Easters	McCluskey	Smith (P)
Barkett	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	Manley	Stubbs
Boles	Falkenburg	Mathews	Taylor
Boutwell	Fite	May	Therrell
Bowers	Gafford	Meeks	Timmons
Brassell	Goodwin	Merrill	Turner
Burgess	Grainger	Mims	Turnham
Callahan	Gray (F)	Naramore	Waggoner
Carnes	Grey (D)	Nettles	Waldrop
Carter	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Headley	Parker	Weeks
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Pruitt	Wise
Cottingham	Jackson	Reed (T)	Wynot
Crawford	Jones (E)	Reid (R)	Barron
Cross	Jones (F)	Reynolds	McNair
Culver	King	Roberts	McMillan
Dill	Kinsey	St. John	Hughes
Doss	Lang		

—94

And the bill:

H. 462. To authorize any municipality in Marion County to operate a public ambulance service and to use any civil defense ambulance or other civ-

REGULAR SESSION
4th Day

363

il defense equipment they have in their possession for such public ambulance service purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	Slate
Adwell	Drake	McBride	Smith (K)
Agee	Easters	McCluskey	Smith (P)
Barkett	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	Manley	Stubbs
Boles	Falkenburg	Mathews	Taylor
Boutwell	Fite	May	Therrell
Bowers	Gafford	Meeks	Timmons
Brassell	Goodwin	Merrill	Turner
Burgess	Grainger	Mims	Turnham
Callahan	Gray (F)	Naramore	Waggoner
Carnes	Grey (D)	Nettles	Waldrop
Carter	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Headley	Parker	Weeks
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Pruitt	Wise
Cottingham	Jackson	Reed (T)	Wynot
Crawford	Jones (E)	Reid (R)	Barron
Cross	Jones (F)	Reynolds	McNair
Culver	King	Roberts	McMillan
Dill	Kinsey	St. John	Hughes
Doss	Lang		

—94

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for the Journal to show Mr. Smith (P) not voting on the bill, H. 454.

BILLS ON THIRD READING RESUMED

And the bill:

H. 433. (With Amendment): To amend Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 Et Seq.), Entitled: "AN ACT Relating to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers and duties of the commission; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county", so as to delete from Section 1 and Section 10 (c) references therein to the county of Mobile; to provide for the term during which the members of said Racing

Commission shall hold office; to change the method of appointing the members of said Racing Commission; to add a new provision to provide for the severability of the parts, sections and provisions of said Act; and to amend the title of said Act.

Was taken up.

The question, then, was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

In Section 2 delete the third and fourth sentences of Section 1 being amended and insert in lieu thereof the following:

Said Commission shall consist of three (3) persons to be appointed by a majority of the members elected to the legislature delegation of the county. The term for the person appointed to Place No. One (1) on the commission shall expire on January 1, 1976; the term for the person appointed to Place No. Two (2) on the commission shall expire January 1, 1975 and the term for the person appointed to Place No. Three (3) on the commission shall expire January 1, 1974. The successors of the above members of the commission shall hold office for a term of three (3) years; provided, however, that the effective date of appointment of any person presently a member of the commission shall be considered to be the day this Act becomes effective. Place No. 1 shall be the commissioner previously appointed by the municipalities of said county, Place No. 2 shall be the commissioner previously appointed by the Foundation for Public Higher Education and Place No. 3 shall be the commissioner previously appointed by the County Legislative Delegation.

In Section 2 delete the present Section 5 being amended and insert in lieu thereof the following:

Section 5. An attorney shall be appointed by a majority of the members of the commission. Said attorney shall counsel and advise the commission and represent it in all proceedings. The Commission shall have exclusive authority to appoint said attorney.

And the amendment was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Easters	Lutz	Reed (T)
Agee	Ellis	McBride	Roberts
Barkett	Gray (F)	Meeks	Slate
Carnes	Hale	Mims	Smith (K)
Collins	Hobbie	Nettles	Therrell
Coshatt	Jones (F)	O'Daniel	Waggoner
Downing	King	Parker	Wood
Drake	Lang	Pruitt	Wynot

REGULAR SESSION
4th Day

365

And the bill, H. 433, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 35; Nays 4.

Yeas:

Messrs.:	Easters	Lutz	Roberts
Agee	Goodwin	McBride	St. John
Barkett	Gray (F)	Meeks	Smith (K)
Bassett	Headley	Naramore	Snell
Carnes	Hearn	Nettles	Stokes
Coshatt	Hill	O'Daniel	Stubbs
Crawford	Hobbie	Owens	Therrell
Dill	King	Reed (T)	Timmons
Downing	Lang	Reynolds	Waggoner

—35

Nays: Mr. Speaker, Burgess, Collins and Drake.

—4

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION

The following resolution was introduced:

By Messrs. Manley, Pruitt, McCorquodale, Agee, Owens, Cottingham and Turner:

H. J. R. 60. DESIGNATING A PORTION OF ALABAMA HIGHWAY 5 AS THE "JUDSON COLLEGE-MARION INSTITUTE HIGHWAY"

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the portion of Alabama Highway 5 from Thomasville, Alabama, north to the intersection of said highway with Interstate Highway 59 north of West Blocton be named and designated as the "Judson College-Marion Institute Highway," in recognition of these two fine and distinguished educational institutions.

BE IT FURTHER RESOLVED, That the Highway Department be instructed to erect appropriate markers or signs along said highway to indicate the designation thereof.

The resolution, H. J. R. 60, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill:

H. 413. To regulate further the number, manner of appointment, compensation, duties and term of service of certain legislative subordinate officers and employees, and for such purpose to amend Code of Alabama 1940, Title

32, Section 22, and to amend further Sections 13, 18, 19, 20, 24, 25 and 26 of said title, as heretofore amended; and providing retroactive effect.

Was taken up.

Mr. Lyons offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To vest in the Legislative Council of the State of Alabama the authority to employ all legislative employees and to prescribe and designate work areas for all such employees and specific areas of legislative activity, and to fix the maximum permissible number of legislative employees and the maximum permissible rates of compensation for such employees; and to authorize the presiding officers of each house of the Legislature to employ certain employees or assistants.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby vested in the Legislative Council of the State of Alabama the authority, with the advice of the Secretary of the Senate or the Clerk of the House of Representatives with respect to the employees of their respective houses, to employ all legislative employees except pages, and to fix the exact number of employees who may be employed in each category of employment and the exact amount of each legislative employee classification compensation, in the event the exact amount thereof is not herein otherwise prescribed. In addition, the Legislative Council shall be authorized to assign legislative employees to specific work areas. Following their employment by the Legislative Council, all legislative employees shall be under the control and supervision of the Secretary of the Senate as to Senate employees and of the Clerk of the House as to the employees of the House of Representatives.

The Legislative Council is hereby authorized to delegate such powers and duties as herein conferred upon it to a subcommittee of its number and to the Secretary of the Senate or the Clerk of the House of Representatives with respect to the employees of their respective houses.

Section 2. In addition to legislative employees to be employed by the Legislative Council,

(a) The chairman of the Finance and Taxation Committee of the Senate and the chairman of the Ways and Means Committee of the House shall each be authorized to employ one full-time secretary for such committee, at a rate of compensation not to exceed \$12,000 per annum, payable as other state employees are paid, and two clerks while the legislature is in session at a rate of compensation not to exceed \$21.00 per day.

(b) The chairman of the Finance and Taxation Committee of the Senate and the chairman of the Ways and Means Committee of the House shall jointly and with the concurrence of them both, employ a fiscal consultant or statistician to serve such committees; and he shall be paid in an amount that shall be determined to be reasonable and proper and not to exceed \$18,500.00 per annum, payable as other state employees are paid, by the concurrence of the chairmen of these two committees. In addition and while the

legislature is in session, such consultants shall be furnished one assistant to be selected by the said chairmen who shall also set the rate of compensation of such assistant at not to exceed \$23.00 per day.

Section 3. (Legislative Subordinate Officers) The subordinate officers of the legislature shall consist of the Secretary of the Senate, Clerk of the House of Representatives, Assistant Secretary of the Senate, and Assistant Clerk of the House of Representatives. The Secretary of the Senate and the Clerk of the House of Representatives shall be full-time employees, elected as provided by Law and compensated as hereinafter provided.

Provided further that the Secretary of the Senate and the Clerk of the House of Representatives, after serving in their respective capacities for nine successive years, shall attain continuing service status and may be removed only for cause by their respective houses by a vote of a majority of the members elected thereof after ten days' notice of the intention to vote thereon together with a written notice of the cause for such removal. The service herein provided shall begin on the date of the original election to such office, whether such original election occurred prior to the passage of this Act or otherwise. The Secretary of the Senate and the Clerk of the House of Representatives, after attaining continuing service status shall not participate in political activity such as are prohibited by the Merit System Act in Section 317, Title 55 of the Code of Alabama 1940.

The Assistant Secretary of the Senate and the Assistant Clerk of the House of Representatives shall serve only while the Legislature is in session. The Assistant Secretary of the Senate shall be appointed by the Secretary of the Senate, with the approval of the President Pro Tem of the Senate; the Assistant Clerk of the House of Representatives shall be appointed by the Clerk of the House of Representatives with the approval of the Speaker of the House. Each shall be compensated as hereinafter provided; provided, nothing herein shall prohibit the Assistant Secretary of the Senate or Assistant Clerk of the House of Representatives from being employed as a legislative employee when the Legislature is not in session.

(a) The compensation of the Secretary of the Senate and the Clerk of the House of Representatives shall be \$16,152.00 per annum, payable as the salaries of other state officers or employees are paid.

(b) The compensation of the Assistant Secretary of the Senate and the Assistant Clerk of the House of Representatives shall be not more than \$30.00 per day while the Legislature is in session payable as the salaries of other state officers or employees are paid.

Section 4. There may be employed for the Legislature such assistants as are reasonably necessary, and as are hereinafter authorized.

(a) There may be employed by the Secretary of the Senate and the Clerk of the House of Representatives, each, one chief clerk who shall be full-time employees, and who shall be responsible for assisting the Secretary of the Senate and the Clerk of the House of Representatives, respectively, with the general administration of their respective offices. The salary of each such employee shall be not more than \$12,592.00 per annum, payable as the salaries of other state employees are paid.

(b) The following classes of legislative employees, in the numbers hereinafter authorized may be employed:

- (1) Supervisory employees
- (2) Secretarial employees
- (3) General employees
- (4) Doorkeepers and gallery doorkeepers
- (5) Custodial employees
- (6) Pages

Section 5 (a) There may be employed on a full-time basis, and subject to regulation by the Legislative Council as to the exact number, not more than the following legislative employees:

- (1) For the Senate:

- 2 Supervisory employees;
- 8 Secretarial employees;
- General employees;
- 3 Custodial employees.

- (2) For the House of Representatives:

- 3 Supervisory employees;
- 12 Secretarial employees;
- General employees;
- 4 Custodial employees.

(b) The compensation of full-time legislative employees shall be not more than the amount hereinafter prescribed, payable as the salaries of other state employees are paid. The exact amount of the compensation for each such category of employees shall be fixed by the Legislative Council with the advice of the Secretary of the Senate and the Clerk of the House of Representatives with respect to their respective employees. Such compensation shall be as follows:

Supervisory employees not more than bi-weekly	\$400.00
Secretarial employees not more than bi-weekly	\$350.00
General employees not more than bi-weekly	\$275.00
Custodial employees not more than bi-weekly	\$250.00

Provided however that nothing herein shall prevent the fixing of differing rates of compensation for individual employees within the same classification.

Section 6. (a) While the legislature is in session, and subject to regulation by the Legislative Council as to the exact number, there may be employed not more than the following personnel, in addition to the above de-

scribed full-time employees; and also in addition to those employees assigned to the offices of the presiding officer of the respective house.

(1) For the Senate:

7 Supervisory employees;
45 Secretarial employees;
12 General employees;
3 Doorkeepers;
3 Custodial employees;
16 Pages.

(2) For the House of Representatives:

8 Supervisory employees;
70 Secretarial employees;
27 General employees;
6 Doorkeepers;
4 Custodial employees;
30 Pages.

(b) The compensation of employees who are employed while the legislature is in session shall be not more than the amount hereinafter prescribed, payable as the salaries of other state employees are paid. The exact amount of the compensation for each category of employees shall be fixed by the Legislative Council with the advice of the Secretary of the Senate and the Clerk of the House of Representatives with respect to their respective employees. Such compensation shall be as follows:

Supervisory employees not more than per day;	\$28.00
Secretarial employees not more than per day;	\$25.00
General employees not more than per day;	\$21.00
Doorkeepers not more than per day;	\$20.00
Custodial employees not more than per day;	\$20.00
Pages not more than per day;	\$ 7.50

Provided, however, that nothing herein shall prevent the fixing of differing rates of compensation for individual employees within the same classification.

(c) The Secretary of the Senate and the Clerk of the House of Representatives are authorized to retain for a period not to exceed six weeks following the close of a Regular or Special Session of the legislature such employees as are required for the purpose of checking, comparing, completing and filing the journals of their respective houses in the office of the Secretary of State; but the total number of employees so retained after a session ceases

shall not exceed 24 employees for the Senate and 30 employees for the House of Representatives, including the full-time employees of each house who may also be engaged in such work.

(d) Until such time as the Legislative Council shall fix the exact number of employees which may be employed and their exact rate of compensation, the number of authorized employees and their rate or rates of compensation shall be that previously fixed by legislative act or resolution as of May 1, 1973.

Section 7. In addition to those employees of the Legislature hereinabove provided, the presiding officers of each of the two houses shall each be authorized to employ one administrative assistant at a rate of compensation not to exceed \$12,000.00 per annum and two secretarial employees at a rate of compensation not more than that authorized to be paid full-time supervisory employees. The compensation of such administrative assistants and secretarial employees for the presiding officers shall be payable as the salaries of other state employees are paid.

Section 8. Senate pages shall be selected or appointed as may be provided by resolution of the Senate, and House pages shall be appointed by the Speaker of the House.

Section 9. In the selection of the employees of the Legislature, there shall be no discrimination on account of sex, race, creed or color.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. All laws and parts of laws, including any and all provisions in Code of Alabama 1940, Title 32, as amended or supplemented, which conflict herewith are hereby repealed; however, nothing herein shall be construed to repeal any provisions of Section 27, 28, 29 or 30 of said Title 32.

Section 12. This Act shall have effect on and after May 1, 1973.

MOTION TO CARRY-OVER TABLED

On motion of Mr. Lyons, the motion of Mr. Warren to carry-over the bill, H. 413 with pending substitute to the Sixth Legislative Day, was tabled.

Yeas 48; Nays 33.

Yeas:

Messrs.:	Drake	McDonald	Snell
Bank	Easters	Mathews	Stewart
Brassell	Edwards	Meeks	Stubbs
Callahan	Ellis	Merrill	Turner
Carnes	Fite	Parker	Turnham
Chesnut	Goodwin	Perloff	Waggoner
Collins	Gray (F)	Reed (T)	Wallace
Connell	Grey (D)	Reid (R)	Williams
Coshatt	Hearn	Reynolds	Wynot
Cottingham	Hill	Robertson	McNair
Culver	Jackson	St. John	McMillan
Dill	McCluskey	Smith (P)	Hughes
Downing			

REGULAR SESSION
4th Day

371

Nays:

Messrs.:	Crawford	Jones (F)	Nettles
Adwell	Cross	King	Slate
Agee	Crowe	Kinsey	Smith (K)
Benton	Doss	Lang	Stokes
Boles	Erdreich	Lutz	Timmons
Bowers	Gafford	McBride	Waldrop
Burgess	Grainger	Manley	Warren
Carter	Hale	Naramore	Wise
Casey	Jones (E)		

—33

MOTION TO CARRY-OVER H. 413

Mr. Warren offered the motion that the bill, H. 413 with pending substitute, be carried-over to the Fifth Legislative Day.

The substitute motion offered by Mr. Robertson, that the House recess for one hour, was lost.

Yeas 42; Nays 42.

Yeas:

Messrs.:	Crawford	Jackson	Stokes
Adwell	Cross	King	Stubbs
Bank	Culver	Lutz	Therrell
Bassett	Dill	McCluskey	Timmons
Boles	Downing	Parker	Turner
Callahan	Edwards	Perloff	Turnham
Casey	Ellis	Reid (R)	Waggoner
Chesnut	Grainger	Robertson	Waldrop
Collins	Grey (D)	Smith (K)	Wallace
Connell	Hardin	Smith (P)	Weeks
Cottingham	Hobbie	Stewart	

—42

Nays:

Messrs.:	Drake	Jones (F)	Reynolds
Agee	Erdreich	Kinsey	St. John
Barkett	Falkenburg	McBride	Slate
Benton	Fite	McDonald	Snell
Boutwell	Gafford	Manley	Taylor
Bowers	Goodwin	May	Warren
Brassell	Hale	Meeks	Williams
Carnes	Headley	Merrill	Wise
Carter	Hearn	Naramore	Wood
Coshatt	Hill	Nettles	Wynot
Crowe	Jones (E)	Owens	

—42

The substitute motion of Mr. Doss, that the House stand in recess for two hours, was lost.

Yeas 33; Nays 58.

Yeas:

Mr. Speaker	Burgess	Crowe	Erdreich
Adwell	Casey	Doss	Falkenburg
Bank	Chesnut	Downing	Hobbie
Boles	Connell	Edwards	King
Boutwell	Crawford	Ellis	Lang

4th Day

McBride	Parker	Smith (P)	Turner
McCluskey	Perloff	Stokes	Turnham
Nettles	Robertson	Therrell	Waldrop
O'Daniel			

—33

Nays:

Messrs.:	Drake	Jones (F)	Smith (K)
Agee	Easters	Kinsey	Snell
Barkett	Fite	Lutz	Stewart
Bassett	Gafford	McDonald	Stubbs
Benton	Goodwin	Manley	Taylor
Bowers	Grainger	May	Timmons
Brassell	Gray (F)	Meeks	Waggoner
Callahan	Grey (D)	Merrill	Wallace
Carnes	Hale	Mims	Warren
Carter	Hardin	Naramore	Weeks
Collins	Headley	Owens	Williams
Coshatt	Hearn	Reid (R)	Wise
Cross	Hill	Reynolds	Wood
Culver	Jackson	St. John	Wynot
Dill	Jones (E)	Slate	

—58

RECESS

The substitute motion of Mr. Robertson that the House recess for 30 minutes was adopted.

Yeas 54; Nays 31.

Yeas:

Mr. Speaker	Crawford	King	Stewart
Adwell	Crowe	Lang	Stokes
Agee	Culver	Lutz	Stubbs
Bank	Dill	McCluskey	Taylor
Bassett	Downing	Meeks	Therrell
Boles	Easters	Nettles	Timmons
Boutwell	Ellis	O'Daniel	Turner
Burgess	Grainger	Parker	Turnham
Callahan	Grey (D)	Perloff	Waggoner
Casey	Hale	Reid (R)	Waldrop
Chesnut	Hardin	Robertson	Wallace
Collins	Headley	Smith (K)	Weeks
Connell	Hobbie	Smith (P)	Wynot
Cottingham	Jackson		

—54

Nays:

Messrs.:	Falkenburg	Kinsey	Owens
Benton	Fite	McBride	Reynolds
Brassell	Gafford	McDonald	Slate
Carnes	Goodwin	Manley	Snell
Carter	Gray (F)	May	Warren
Coshatt	Hearn	Merrill	Williams
Drake	Jones (E)	Mims	Wise
Erdreich	Jones (F)	Naramore	Wood

—31

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

H. 413 RESUMED

Mr. Warren offered the following amendment to the substitute of Mr. Lyons to the bill, H. 413:

Amend the Substitute for H. B. 413 by substituting for Section 7 a new Section 7 as follows:

"Section 7. In addition to those employees of the Legislature hereinabove provided, the presiding officers of each of the two houses shall each be authorized to employ one secretarial employee at a rate of compensation not more than that authorized to be paid full-time supervisory employees. The compensation of such secretarial employees for the presiding officers shall be payable as the salaries of other state employees are paid."

And the amendment was adopted.

Yeas 59; Nays 17.

Yeas:

Messrs.:	Dill	Jones (E)	Reynolds
Agee	Doss	Kinsey	Slate
Bank	Edwards	Lang	Smith (K)
Barkett	Ellis	Lutz	Smith (P)
Benton	Erdreich	McBride	Stokes
Boles	Falkenburg	McCluskey	Therrell
Bowers	Fite	Manley	Timmons
Carter	Gafford	Meeks	Turner
Casey	Goodwin	Merrill	Waggoner
Cauthen	Grainger	Mims	Waldrop
Cottingham	Gray (F)	Naramore	Wallace
Crawford	Grey (D)	Nettles	Warren
Cross	Hale	Owens	Weeks
Crowe	Hardin	Perloff	Wise
Culver	Jackson	Reid (R)	Wood

—59

Nays:

Messrs.:	Downing	King	Stewart
Brassell	Drake	Mathews	Stubbs
Burgess	Easters	O'Daniel	Turnham
Callahan	Hobbie	Robertson	Wynot
Carnes	Jones (F)		

—17

AMENDMENT TABLED

Mr. Waldrop offered the following amendment to the substitute of Mr. Lyons to the bill, H. 413:

Amend the Substitute to H. B. 413 by deleting Section 7 and adding in lieu thereof the following:

"Section 7. In addition to those employees of the Legislature hereinabove provided, the presiding officers of each of the two houses shall each be authorized to employ one administrative assistant at a rate of compensation not to exceed \$12,000.00 per annum and two secretarial employees at a rate of compensation not more than that authorized to be paid full-time supervisory employees. Each legislator shall also be authorized to employ in his legisla-

tive district one secretary while in session at a rate of compensation not more than that authorized to be paid full-time supervisory employees. The compensation of such administrative assistants and secretarial employees for the presiding officer and legislators shall be payable as the salaries of other state employees are paid."

On motion of Mr. Smith (P), the amendment offered by Mr. Waldrop was tabled.

Yeas 76; Nays 7.

Yeas:

Mr. Speaker	Crowe	Jackson	Robertson
Adwell	Culver	Jones (E)	St. John
Agee	Dill	King	Slate
Bank	Doss	Lang	Smith (K)
Barkett	Downing	Lutz	Smith (P)
Bassett	Drake	McBride	Stewart
Benton	Edwards	McCluskey	Stokes
Boles	Ellis	McDonald	Stubbs
Boutwell	Erdreich	Manley	Therrell
Bowers	Falkenburg	Mathews	Timmons
Brassell	Fite	Meeks	Turner
Callahan	Gafford	Merrill	Turnham
Carnes	Goodwin	Mims	Waggoner
Carter	Grainger	Naramore	Wallace
Casey	Grey (D)	Nettles	Warren
Cauthen	Hale	Parker	Weeks
Cottingham	Hardin	Perloff	Williams
Crawford	Headley	Reid (R)	Wise
Cross	Hobbie	Reynolds	Wynot

—76

Nays:

Messrs.:	Coshatt	Hill	Waldrop
Chesnut	Easters	Kinsey	Wood

—7

AMENDMENT TABLED

Mr. Nettles offered the following amendment to the substitute of Mr. Lyons to the bill, H. 413:

Amend Section 3 (a) to SUBSTITUTE FOR HOUSE BILL 413 by deleting the figure \$16,152.00 and substituting therefor the figure \$22,500.00, and

Amend Section 5 (b) by deleting the first sentence and substituting therefor the following: "The total compensation of full-time legislative officers and employees shall be not more than the amount herein prescribed, payable as the salaries of other state employees are paid; and such full-time legislative officers and employees are prohibited from charging or receiving any fee inuring to their personal benefit relative to the performance of legislative duties by themselves or any other legislative officer or employee."

On motion of Mr. Mathews, the amendment was tabled.

AMENDMENT TABLED

Mr. Manley offered the following amendment to the substitute of Mr. Lyons to the bill, H. 413:

REGULAR SESSION
4th Day

375

Amend the substitute to House Bill 413 by adding the following after the period at the end of Section 7:

"Provided however, that the Legislative Council shall not assign to or provide for any additional employees to the presiding officer of either house and further that the Legislative Council shall not provide any expense allowance to either presiding officer other than that which is presently authorized by law.

On motion of Mr. Lyons, the amendment was tabled.

Yeas 38; Nays 22.

Yeas:

Mr. Speaker	Coshatt	Hobbie	Stewart
Agee	Cottingham	McCluskey	Stubbs
Bank	Crawford	McDonald	Taylor
Boles	Dill	Mathews	Therrell
Boutwell	Downing	Meeks	Timmons
Brassell	Drake	Merrill	Turnham
Carnes	Easters	Parker	Wallace
Cauthen	Fite	Reed (T)	Wise
Collins	Goodwin	Smith (K)	Wynot
Connell	Hill		

—38

Nays:

Messrs.:	Erdreich	Naramore	Stokes
Carter	Grainger	Nettles	Waldrop
Casey	Hale	Owens	Warren
Chesnut	Jackson	Perloff	Weeks
Crowe	King	St. John	Wood
Culver	Lutz	Slate	

—22

AMENDMENT ADOPTED

Mr. Gafford offered the following amendment to the substitute of Mr. Lyons to the bill, H. 413:

Amend the substitute to HB 413 by deleting on the third line of the second paragraph of Section 1 thereof the words "to a subcommittee of its number and"

And the amendment was adopted.

AMENDMENT ADOPTED

Mr. Gray (F) offered the following amendment to the substitute of Mr. Lyons to the bill, H. 413:

Amend Substitute for H.B. No. 413 by striking "\$12,000.00" that appears in Section 2 (a) and substituting therefor "\$10,000.00."

And the amendment was adopted.

AMENDMENT TABLED

Messrs. Chesnut and Waldrop offered the following amendment to the substitute of Mr. Lyons to the bill, H. 413:

Amend the substitute to HB 413 by deleting Section 7 and adding in lieu thereof the following:

"Section 7. In addition to those employees of the Legislature hereinabove provided, the presiding officers of each of the two houses shall be authorized to employ one administrative assistant at a rate of compensation not to exceed \$12,000.00 per annum and two secretarial employees at a rate of compensation not more than that authorized to be paid full-time supervisory employees. One secretary shall be employed full-time while the Legislature is in session to serve and assist legislators in each Senatorial District at a rate of compensation not more than that authorized to be paid full-time supervisory employees. Said secretary shall be selected by a majority of legislators in said Senatorial Districts. The compensation of such administrative assistants and secretarial employees for the presiding officer and legislators shall be payable as the salaries of other state employees are paid."

On motion of Mr. Adwell, the amendment was tabled.

AMENDMENT TABLED

Mr. Waldrop offered the following amendment to the substitute of Mr. Lyons to the bill, H. 413:

Amend the substitute to HB 413 by deleting Section 7 and adding in lieu thereof the following:

"Section 7. In addition to those employees of the Legislature hereinabove provided, the presiding officers of each of the two houses shall be authorized to employ two secretarial employees at a rate of compensation not more than that authorized to be paid full-time supervisory employees. One secretary shall be employed full-time while the Legislature is in session to serve and assist legislators in each Senatorial District at a rate of compensation not more than that authorized to be paid full-time supervisory employees. Said secretary shall be selected by a majority of legislators in said Senatorial Districts. The compensation of such secretarial employees for the presiding officer and legislators shall be payable as the salaries of other state employees are paid."

On motion of Mr. Smith (P), the amendment was tabled.

AMENDMENT ADOPTED

Mr. Burgess offered the following amendment to the substitute of Mr. Lyons to the bill, H. 413:

In section 2(b) at the end of the last sentence, add the following sentence: However, no person shall be employed without the consent of a majority of each committee.

And the amendment was adopted.

AMENDMENT TABLED

Mr. Erdreich offered the following amendment to the substitute of Mr. Lyons to the bill, H. 413:

Amend the substitute to the bill, H. 413, by adding as Section 9 the following, and re-numbering existing Sections 9, 10, 11 and 12:

4th Day

"Section 9. The Clerk of the House and the Secretary of the Senate shall publish monthly the names, compensation and duties of employees, who on a part-time or full-time basis, perform duties for the presiding officers of the House and Senate."

On motion of Mr. Lyons, the amendment was tabled.

Yeas 40; Nays 12.

Yeas:

Mr. Speaker	Cottingham	Goodwin	Reynolds
Agee	Crawford	Grainger	St. John
Boutwell	Crowe	Headley	Smith (K)
Brassell	Culver	Hill	Stubbs
Burgess	Dill	Jackson	Therrell
Callahan	Downing	McCluskey	Timmons
Carnes	Drake	McDonald	Turner
Collins	Easters	Merrill	Turnham
Connell	Edwards	Owens	Wise
Coshatt	Fite	Parker	Wynot

—40

Nays:

Messrs.:	Erdreich	McBride	Nettles
Boles	Gafford	Meeks	Reed (T)
Casey	Hale	Naramore	Stokes
Chesnut			

—12

AMENDMENT ADOPTED

Mr. Manley offered the following amendment to the substitute of Mr. Lyons to the bill, H. 413:

Amend the substitute to House Bill 413 by adding the following after the period at the end of Section 7: "Provided however, that the Legislative Council shall not provide any expense allowance to either presiding officer other than that which is presently authorized by law."

The motion of Mr. Lyons to table the amendment offered by Mr. Manley was lost.

The question was then on the adoption of the amendment offered by Mr. Manley and the amendment was adopted.

Yeas 38; Nays 31.

Yeas:

Messrs.:	Dill	Lang	Slate
Adwell	Doss	Lutz	Smith (K)
Bassett	Erdreich	McBride	Stokes
Benton	Gafford	Manley	Taylor
Carter	Goodwin	Meeks	Waldrop
Casey	Grainger	Naramore	Warren
Chesnut	Hale	Nettles	Weeks
Cottingham	Hardin	O'Daniel	Wise
Cross	King	Reid (R)	Wood
Crowe	Kinsey	St. John	

—38

4th Day

Nays:

Mr. Speaker	Connell	Hill	Stewart
Agee	Culver	Jackson	Stubbs
Barkett	Downing	McCluskey	Therrell
Boutwell	Drake	Merrill	Timmons
Brassell	Easters	Owens	Turner
Callahan	Falkenburg	Parker	Turnham
Carnes	Fite	Reynolds	Wynot
Collins	Grey (D)	Robertson	

—31

SUBSTITUTE ADOPTED

The question was then on the adoption of the substitute, as amended, offered by Mr. Lyons to the bill, H. 413, and the substitute was adopted.

Yeas 85; Nays 1.

Yeas:

Mr. Speaker	Crowe	Jackson	Reynolds
Adwell	Culver	Jones (E)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Slate
Barkett	Drake	Lang	Smith (K)
Bassett	Easters	Lutz	Smith (P)
Benton	Edwards	McBride	Stewart
Boles	Ellis	McCluskey	Stokes
Brassell	Erdreich	McDonald	Stubbs
Burgess	Falkenburg	Manley	Taylor
Callahan	Fite	Mathews	Therrell
Carnes	Gafford	Meeks	Timmons
Carter	Goodwin	Merrill	Turner
Casey	Grainger	Mims	Turnham
Cauthen	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Hardin	Owens	Weeks
Coshatt	Headley	Parker	Wise
Cottingham	Hill	Perloff	Wood
Crawford	Hobbie	Reid (R)	Wynot
Cross			

—85

Nay: Mr. Dill.

—1

And the bill, H. 413, as thus amended:

To vest in the Legislative Council of the State of Alabama the authority to employ all legislative employees and to prescribe and designate work areas for all such employees and specific areas of legislative activity, and to fix the maximum permissible number of legislative employees and the maximum permissible rates of compensation for such employees; and to authorize the presiding officers of each house of the Legislature to employ certain employees or assistants.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Callahan
Adwell	Barkett	Boles	Carnes
Agee	Bassett	Burgess	Carter

4th Day

Casey	Falkenburg	McDonald	Slate
Cauthen	Fite	Manley	Smith (K)
Chesnut	Gafford	Mathews	Smith (P)
Collins	Goodwin	Meeks	Stewart
Connell	Grainger	Merrill	Stokes
Coshatt	Gray (F)	Mims	Stubbs
Cottingham	Grey (D)	Naramore	Taylor
Crawford	Hale	Nettles	Therrell
Cross	Hardin	O'Daniel	Timmons
Crowe	Headley	Owens	Turner
Culver	Hill	Parker	Turnham
Dill	Hobbie	Perloff	Waggoner
Doss	Jackson	Reed (T)	Wallace
Downing	King	Reid (R)	Warren
Drake	Kinsey	Reynolds	Weeks
Easters	Lang	Roberts	Wise
Edwards	Lutz	Robertson	Wood
Ellis	McBride	St. John	Wynot
Erdreich	McCluskey		

—86

RESOLUTION

The following resolution was introduced:

By Messrs. Gafford, Bowers, Doss, Erdreich, Adwell, Meeks, Dill, Timmons, Waggoner, Wallace, Jones (E), Weeks, Boutwell, McBride, McNair, Boles, Hughes, Falkenburg and Ellis:

H. J. R. 61. MEMORIALIZING THE PRESIDENT AND CONGRESS TO DO ALL IN THEIR POWER TO SECURE THE RELEASE AND INFORMATION CONCERNING THE MISSING IN ACTION IN SOUTHEAST ASIA.

WHEREAS, of the valiant fighting men of the U. S. Armed Services who served their country in Southeast Asia, many of their number are still listed as Missing In Action; and

WHEREAS, North Vietnam has still not divulged true and factual information about the Missing In Action revealing the whereabouts or fate of these men; and

WHEREAS, the families of these service men have endured undue hardship and have waited for days, months, and years on end in hope of obtaining the return of their loved ones; and

WHEREAS, it is hard for a person to even imagine the torture that these families must go through day after day, wondering, waiting, and praying for some miracle that will return their son, husband, or loved one; and

WHEREAS, the suffering of the men who are still imprisoned in Southeast Asia cannot be forgotten, and immediate action must be taken to secure their release; and

WHEREAS, the most heralded aspect of the Peace Treaty was that North Vietnam promised the release of *all* American prisoners in Southeast Asia and their cooperation in obtaining the fullest accounting of the Missing In Action; and

WHEREAS, the Communist have merely pretended to meet the terms of the Peace Treaty; and

WHEREAS, the American people must not forget and turn their back on these patriotic men who have sacrificed for the country more than any person can expect; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature urges the President and Congress to do all in their power to secure the release or information concerning the members of the Armed Services listed as Missing In Action.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the President and to the members of the Alabama Congressional Delegation and be made available to the families of the Missing In Action and the press.

On motion of Mr. Gafford, the rules were suspended and the resolution, H. J. R. 61, was adopted.

H. 551 RE-REFERRED

On motion of Mr. Reid (R), the bill, H. 551, was re-referred from the Standing Committee on State Administration to the Standing Committee on Local Legislation No. 1.

RESOLUTION

The following resolution was introduced:

By Messrs. Lutz, Grainger, King, Hearn, and Hale:

H. J. R. 62. Mourning the death of William H. Blanton of Madison County.

WHEREAS, Madison County has recently lost one of its finest and most beloved citizens through the death of William H. Blanton; and

WHEREAS, William H. Blanton lived a long and fruitful life, having lived in Madison County for more than eighty years and having been a member of the Madison County Bar for well over fifty years; and

WHEREAS, William H. Blanton was a man of unimpeachable character and integrity and exemplified the highest traditions and ideals of the legal profession, always putting his duty to his clients first, and never being too busy to help his fellow lawyers, particularly younger lawyers, who frequently called upon his vast experience, especially in the field of real estate law, where he was an acknowledged expert; and

WHEREAS, William H. Blanton was deeply loved and will be greatly missed by all those who knew him, especially his family, his law partners, and his fellow attorneys.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, BOTH HOUSES CONCURRING, That we do deeply mourn the death of William H. Blanton, but in his passing we take note of a truly outstanding life. Be it further resolved that copies of this resolution be sent to his family and to his law firm.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 62, on the Clerk's desk for one legislative day.

REGULAR SESSION
5th Day

381

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:50 A.M. on May 24, 1973.

H. J. R. 32

H. J. R. 33

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Mathews, the House adjourned until 1:00 o'clock p.m., Tuesday, May 29, 1973.

FIFTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, May 29, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Vern Anderson, Pastor, Fundamental Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Carnes	Downing	Hardin
Adams	Carter	Drake	Harris
Adwell	Casey	Easters	Headley
Agee	Cauthen	Edwards	Hearn
Bank	Chesnut	Ellis	Hill
Barkett	Collins	Erdreich	Hobbie
Barron	Connell	Falkenburg	Hughes
Bassett	Coshatt	Fite	Jackson
Benton	Cottingham	Flippo	Jones (F)
Boles	Crawford	Gafford	King
Boutwell	Cross	Goodwin	Kinsey
Bowers	Crowe	Grainger	Lang
Brassell	Culver	Gray (F)	Lutz
Burgess	Dill	Grey (D)	McBride
Callahan	Doss	Hale	McCluskey

McDonald	O'Daniel	Slate	Turnham
McMillan	Owens	Smith (K)	Waggoner
McNair	Parker	Smith (P)	Waldrop
Manley	Perloff	Snell	Wallace
Mathews	Pruitt	Stewart	Warren
May	Reed (T)	Stokes	Weeks
Meeks	Reid (R)	Stubbs	Williams
Merrill	Reynolds	Taylor	Wise
Mims	Roberts	Therrell	Wood
Naramore	Robertson	Timmons	Wynot
Nettles	St. John	Turner	

—103

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Drake, the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted favorably on the following resolutions:

H. J. R. 60. Designating a portion of Alabama Highway 5 as the "Judson College-Marion Institute Highway.

On motion of Mr. Manley, the resolution was adopted.

Also:

H. J. R. 51. Designating a structure at the University of Alabama in Birmingham as "Denman Hall."

On motion of Mr. Erdreich, the resolution was adopted.

Also:

H. J. R. 12. Opposing amnesty for deserters from the armed forces of the United States.

On motion of Mr. Weeks, the resolution was adopted.

LEAVES OF ABSENCE

On motion of Mr. Drake, leave of absence was granted Mr. McCorquodale, due to illness.

On motion of Mr. Doss, leave of absence was granted Mr. Jones (E), due to illness.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted favorably on the following resolutions:

H. J. R. 15. Honoring Clyde Blackwood for his contribution to the education profession of this state and offering best wishes on his forthcoming retirement.

On motion of Mr. Reid (R), the resolution was adopted.

CO-SPONSOR ADDED

At the request of Mr. St. John, unanimous consent was granted for his name to be added as co-sponsor to the resolution, H. J. R. 15.

Also:

H. J. R. 16. Commending the Oneonta High School football team and working staff for winning their second consecutive 2-A state championship.

On motion of Mr. Reid (R), the resolution was adopted.

Also:

H. J. R. 18. Commending Banks High School football team for winning the State 4-A football championship in 1972.

On motion of Mr. Wallace, the resolution was adopted.

Also:

H. J. R. 19. Commending Glenn High School Basketball team for winning the state 3-A basketball championship.

On motion of Mr. Wallace, the resolution was adopted.

Also:

H. J. R. 20. Naming the varsity athletic field house at Troy State University the "Tine W. Davis Field House."

On motion of Mr. Bassett, the resolution was adopted.

Also:

H. J. R. 22. Naming wing A of Alumni Hall at Troy State University, "The Dr. James O. Colley Jr. Wing."

On motion of Mr. Bassett, the resolution was adopted.

Also:

H. J. R. 23. Naming a portion of Highways I-359 and Alabama 69 the "Lurleen B. Wallace Boulevard."

On motion of Mr. Robertson, the resolution was adopted.

Also:

H. J. R. 24. Commending Alabama State University for its contribution to the state and nation and designating "Alabama State University, Centennial Year."

On motion of Mr. Reed (T), the resolution was adopted.

Also:

H. J. R. 25. To Extend the life of the Health Study Commission.

On motion of Mr. Bank, the resolution was adopted.

Also:

H. J. R. 26. Commending the task forces that worked under the Alabama Health Study Commission.

On motion of Mr. Bank, the resolution was adopted.

Also:

H. J. R. 28. Paying tribute to the life of Mamie Stodghill Wittmeier.

On motion of Mr. Reid (R), the resolution was adopted.

Also:

H. J. R. 34. This resolution will designate a structure at the University of Alabama in Birmingham as the "William P. Engel Day Treatment Center."

On motion of Mr. Erdreich, the resolution was adopted.

Also:

H. J. R. 37. Naming the mathematics building in the Physical Science Center the "William Vann Parker Building."

On motion of Mr. Turnham, the resolution was adopted.

Also:

H. J. R. 8. Expressing concern in regard to the disease known as sickle cell anemia which primarily affects black people.

On motion of Mr. Reed (T), the resolution was adopted.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 388. To provide for the exemption from ad valorem taxation of the home of any person who is totally disabled or who is sixty-five years of age or older and who had an adjusted gross income of less than five thousand dollars for income tax purposes for the last preceding year.

H. 128. A bill allowing an election by the surviving widow to receive the present value of her dower rights in lump sum form.

H. 603. Relating to the admissibility of itemized doctor's charges, hospital charges and drug expenses incurred during the treatment of injury or illness.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 390. (With Substitute) (With Amendment): To amend Title 13, Section 350; to raise the age of "juvenile to 18".

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 364. Relating to judicial procedure; specifically regulating further actions indetinue so as to provide an opportunity for the defendant to be heard before property is taken out of his possession under a court order except in enumerated extraordinary circumstances; and for such purpose amending Code of Alabama 1940, Title 7, Sections 918, 920 and 932, and also Act No. 979, H. 232 of the Regular Session of 1951 (Acts of Alabama, 1951, p. 1653—now appearing in Section 931(1) of Title 7 in the Code of Alabama, Recompiled 1958).

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 642. (With Amendment): To amend Title 26, Section 261, Code of Alabama 1940, as amended, which relates to legal services in workman's compensation cases, so as to eliminate the requirement that a claimant under the workman's compensation law must have prior court approval before employing an attorney to represent him upon a hearing of a petition under the workman's compensation law.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 372. To amend Title 34, Section 31, Code of Alabama, 1940, so as to provide that the Court may divest interest of either spouse in the home-place; that remarriage of the wife may terminate rights to alimony; that action to recover alimony must be commenced within five (5) years, and to repeal all conflicting laws.

H. 363. To amend Section 210 of Act No. 1407, S. B. 414, Regular Session 1971 (Acts 1971, p. 2378), which Act is known as the Alabama Uniform Controlled Substances Act, so as to include the drug methaqualone in the controlled substances covered under Schedule IV in said Act.

H. 184. To provide that the courts of this state shall have jurisdiction over any non-resident corporation, which conducts business in the state with-

out qualifying to do business therein, for the prosecution of any claim whether or not that claim arises out of the business conducted within the state.

H. 185. To provide that the courts of this state shall have jurisdiction over any non-domiciliary who commits a tortious act causing injury within the state or owns, uses, or possesses real property within the state where any claim arises from the doing of any such act.

H. 667. To provide for the adoption of adult persons and to declare the rights of the adopter and the adopted person.

H. 497. To amend the Code of Alabama (1940), Title 7, Section 1000, to provide for presumption of notice of garnishment to defendant, when he fails to appear within thirty days from the date garnishment has been served on garnishee.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 691. To authorize and provide for the promotion of the production, marketing, use and sale of swine and swine products by research, education, advertising and other methods; and prescribing a method whereby swine producers may act jointly with handlers, buyers, processors, the state board of agriculture and industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the swine producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of swine throughout the State, and providing for collection and distribution of assessments by dealers, handlers, and buyers of swine; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

H. 690. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for the promotion of the production, research, distribution, marketing, use, improvement and sale of swine and swine products.

The above bill was read a second time at length as required by the Constitution.

H. 406. To prohibit the throwing or discharging upon any public or private property, lighted or nonlighted, flaming or glowing substances that may cause fire or from a vehicle or while a pedestrian upon a road, highway or adjoining area; to prohibit the throwing or depositing of waste matter upon highways, rights-of-way, sidewalks or public or private property or into specified bodies of water or banks thereof; to define terms; to prescribe penalties for violations and subsequent violations and to require the preparation and maintenance of records of violations.

H. 334. To repeal Section 6 of Title 2 of the Code of Alabama of 1940 which prohibits the buying, selling or other trading in, and the movement or transportation, of certain farm products after the hour of sunset and before the hour of sunrise.

H. 333. To amend Sections 3, 6 and 7 of Act No. 424, H. 413, Legislature of 1963, Regular Session, approved September 2, 1963 (Acts of 1963, Vol 2, p. 931), as amended, an Act to regulate the labeling, sale and offering or exposing for sale or distribution of agricultural, vegetable, flower, tree, shrub and herb seeds, etc.; to amend Section 3 of said Act No. 424 to prescribe the time of the test to determine the percentage of germination for agricultural and vegetable seed sold or offered for sale or distributed in hermetically sealed containers; to amend Section 6 of said Act No. 424 to require invoices of certain sales of seed sold at retail to be furnished to the buyer and that a record thereof be kept by the seller; and to amend Section 7 of said Act No. 424 to authorize the adoption of rules and regulations governing the sale of seed that are subject to the provisions of the "Plant Variety Protection Act" of the Congress of the United States.

H. 332. To amend Section 385, as amended, and Section 386 of Title 2 of the Code of Alabama of 1940, relating to livestock dealers, the annual permit required, bills of sale and bills of lading required thereunder; and to repeal Section 387 of Title 2 of the Code of Alabama of 1940.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 400. Relating to the practice of public accounting; to regulate the practice of public accounting; to create a State Board of Public Accountancy and to provide for its membership and to prescribe its powers and duties; to provide for the regulation, examination, investigation, registration, issuance of certificates and permits, and for the revocation or suspension of certificates, registrations, and permits; to provide fees and charges and for expenses of said Board, making appropriations, prescribing penalties for violations of the Act, and repealing conflicting laws.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 511. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

H. 512. To validate in certain cases municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

H. 513. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following

bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 543. To apply in counties having populations of not less than 26,725 nor more than 27,250, fixing the compensation of the clerk of the register and providing for the payment thereof.

H. 545. Relating to the office of the sheriff in all counties having populations of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census; regulating the number and compensation of certain officers and employees of the sheriff, subject to certain conditions; providing motor vehicles for the use of the sheriff and providing office space, supplies, equipment and materials necessary for the conduct of such office.

H. 546. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to provide further for the clerical assistance of the county tax assessor in such counties.

H. 547. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 548. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census, so as to regulate the compensation of members of the jury commission in such counties.

H. 551. Relating to Blount County; to provide that all hospitals receiving state or county funds shall publish an annual financial statement and shall have their books audited by the state examiner of public accounts annually.

H. 557. Relating to DeKalb County; abolishing the position of county license inspector; placing the powers, duties and functions of said office in the sheriff of said county; providing for the disposition of fees accruing from the performance of the duties of license inspector and repealing conflicting laws.

H. 563. Relating to Coffee County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Coffee County.

H. 628. Relating to counties having a population of not less than 45,500 nor more than 52,000 inhabitants according to the most recent federal decennial census; providing that all compensation and amounts paid jurors in such counties shall, for the purpose of payment of taxes, be deemed to be reimbursement of expenses incurred while serving on the jury.

H. 629. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; providing that all compensation and amounts paid jurors in

such counties shall, for the purpose of payment of taxes, be deemed to be reimbursement of expenses incurred while serving on the jury.

H. 655. To amend Section 8 of Act No. 261, H. 571, Regular Session 1947, (Local Acts 947, p. 187), as amended, which act provides for the maximum compensation of the county engineer of Sumter County.

H. 656. Relating to The Sumter County Commission, providing for the payment of additional expense allowances of members of the county commission or like governing body of Sumter County.

H. 664. To provide for a secretarial assistant to the circuit judge of all judicial circuits having one judge and composed of two counties and the total combined population of both counties being not less than 50,000 nor more than 70,000 according to the most recent decennial census.

H. 658. Relating to Sumter County, providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations and in certain cases of game, fish and conservation law violations.

H. 657. To permit banks now or hereafter situated in Sumter County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Mr. Jones (F), Vice-Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 663. To create a mosquito abatement district in any two contiguous counties on the Alabama River having a combined population of not less than 200,000, according to the most recent federal decennial census for the purpose of controlling and abating mosquitoes and other vectors; to provide a mosquito control board for administrative purposes and to prescribe its authority; to provide for the appointment, number and terms of its members; to authorize the governing bodies of any county, city or town within the district to appropriate public funds for the purposes of this act.

H. 476. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute a waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

H. 470. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 1, Township 16 N, Range 18 E, Montgomery County, Alabama.

INTERIM COMMITTEE REPORT

Mr. Owens filed the report of the Interim Committee on Insurance.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Hardin and Bassett:

H. 698. Relating to counties having a population of not less than 22,000 nor more than 22,500 residents according to the most recent federal decennial census, to confer discretionary authority upon the governing body of such counties to appropriate from the general fund of the county sums of money, not to exceed five hundred dollars, and not to exceed one thousand dollars for any one year, for the payment of certain equitable and moral claims against such counties.

Local Legislation No. 1.

By Mr. Reid (R):

H. 699. To make an additional appropriation to the office of the State Auditor for the current fiscal year.

Ways and Means.

By Messrs. Merrill and Stewart:

H. 700. To provide that a retired member of the State Employees' Retirement System may earn up to \$4,800 from any source without affecting their retirement pay.

Judiciary.

By Messrs. St. John, Drake and McDonald:

H. 701. To provide for the rental of State vehicles by counties receiving State aid for the construction and maintenance of State roads or bridges within the county, for the purpose of collecting and disposing of solid waste material, on Saturdays, through the use of such vehicles; to provide for county compensation of drivers of such vehicles.

Local Government.

By Mr. Mathews:

H. 702. To authorize the Clay County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Local Legislation No. 1.

By Messrs. Manley and Pruitt (With Notice and Proof):

H. 703. To amend Section 1 of Act No. 349, H. 869, 1969 Regular Session of the Alabama Legislature (Acts 1969, p. 721), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama," so as to increase the amount of said allowance.

Local Legislation No. 1.

Notice and Proof H. 703:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To Amend Section 1 of Act No. 349, H. 869, 1969 Regular Session of the Alabama Legislature (Acts 1969, p. 721), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama," so as to increase the amount of said allowance.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 349, H. 869, 1969 Regular Session of the Alabama Legislature (Acts 1969, p. 721), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama," is hereby amended to read as follows:

"Section 1. The Circuit Court Clerk of Perry County may appoint a clerk to assist in the performance of the duties of the office of the Circuit Court Clerk. The clerk so appointed shall be entitled to receive a salary not to exceed \$4,800 per annum. The allowance shall be paid from the general funds of the county in such manner as the governing body of the county may direct."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, May 10, May 17, and May 24, all in the year 1973.

ALBERT STEWART.

Sworn to and subscribed before me May 24, 1973.

ELIZABETH F. STEWART,
Notary Public,
Perry County, Alabama.

By Messrs. Manley and Pruitt (With Notice and Proof):

H. 704. To provide that the Marengo County commission shall have

authority to appoint additional deputy sheriffs and establish their salary, to make the provisions of this Act retroactive to August 1, 1969.

Local Legislation No. 1.

Notice and Proof H. 704:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide that the Marengo County commission shall have authority to appoint additional deputy sheriffs and establish their salary, to make the provisions of this Act retroactive to August 1, 1969.

Be It Enacted by the Legislature of Alabama:

Section 1. The Marengo County commission is hereby authorized and empowered to employ such deputy sheriffs as are necessary to carry out the functions and duties of the sheriff's department of said county, and they shall establish and provide for the salary to be paid such deputies out of county funds.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall have retroactive effect to August 1, 1969.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Sutton, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the White Bluff Chronicle, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3rd, May 10th, May 17th, and May 24th, all in the year 1973.

ROBERT E. SUTTON, JR.

Sworn to and subscribed before me May 29, 1973.

DOROTHY C. THOMPSON,
Notary Public,
State at Large.

My Commission Expires: 2-14-1976.

By Messrs. Manley and Pruitt (With Notice and Proof):

H. 705. Relating to Marengo County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

Notice and Proof H. 705:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marengo County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Marengo County shall be entitled to keep and retain the allowances payable by the state for feeding prisoners.

Section 2. The provisions of this Act shall be retroactive to January 18, 1971, and all actions taken by the sheriff in accordance with the provisions of this Act are hereby validated and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Sutton, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the White Bluff Chronicle, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3rd, May 10th, May 17th, and May 24th, all in the year 1973.

ROBERT E. SUTTON, JR.

Sworn to and subscribed before me May 29, 1973.

DOROTHY C. THOMPSON,
Notary Public,
State at Large.

My Commission Expires: 2-14-1976.

By Messrs. Manley and Pruitt (With Notice and Proof):

H. 706. To amend Section 1 of Act No. 348, H. 868, 1969 Regular Session of the Alabama Legislature (Acts 1969, p. 720), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama," so as to increase the amount of said allowance.

Local Legislation No. 1.

Notice and Proof H. 706:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 348, H. 868, 1969 Regular Session of the Alabama Legislature (Acts 1969, p. 720), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama," so as to increase the amount of said allowance.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 348, H. 868, 1969 Regular Session of the Alabama Legislature (Acts 1969, p. 720), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama," is hereby amended to read as follows:

"Section 1. The Tax Assessor and the Tax Collector of Perry County may each appoint a clerk to assist in the performance of the duties of his office. Each clerk so appointed shall be entitled to receive a salary not to exceed \$4,800 per annum. The allowance shall be paid from the general funds of the county in such manner as the governing body of the county may direct."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation

published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, May 10, May 17, and May 24, all in the year 1973.

ALBERT STEWART.

Sworn to and subscribed before me May 24, 1973.

ELIZABETH F. STEWART,
Notary Public,
Perry County, Alabama.

By Messrs. Mims, Falkenburg, Doss, Connell, Reed (T), Bank, McNair, Boutwell, Erdreich, McMillan, Burgess, Timmons and Adwell:

H. 707. To create and establish a fund for the Board of Corrections to be used by the Commissioner of Corrections in paying certain administrative expenses in the general office and in the prisons and institutions under his supervision.

Ways and Means.

By Mr. Chesnut (With Notice and Proof):

H. 708. Applying to DeKalb County, authorizing the governing body of DeKalb County to designate and set up certain projects relating to construction of roads and bridges in DeKalb County.

Local Legislation No. 1.

Notice and Proof H. 708:

STATE OF ALABAMA
COUNTY OF DeKALB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Applying to DeKalb County, authorizing the governing body of DeKalb County to designate and set up certain projects relating to construction of roads and bridges in DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. When used in this Act:

a. The phrase "routine maintenance shall mean and include scraping, blading, ditching, spot cherting repair damaged bridges and grass on ROW, install or replace tile for drainage.

b. The phrase "betterment projects" shall mean and include new paving, resealing, grade-drain and temporary surface-striping new bridge.

Section 2. The authority and responsibility of the designation and setting up of betterment projects for roads and bridges in Dekalb County is here-

by vested in the County Commission or the governing body of Dekalb County. The authority and responsibility for routine maintenance shall remain with the State Highway Director by and through the district engineer for Dekalb County. No money shall be spent for betterment projects for roads and bridges in Dekalb County except as authorized by the Dekalb County Commission as provided herein by resolution duly adopted and read upon the minutes of meeting of the governing body of Dekalb County.

Section 3. On or before the first day of September each year the State Highway Director shall notify the governing body of Dekalb County in writing as to the estimated amount of money to be available out of the monies available from Dekalb County's distributive share of the state gasoline revenue for betterment projects for the next ensuing fiscal year. On or before the 1st day of October of each year the governing body of Dekalb County shall, by resolution duly adopted and read upon the minutes of the meeting of the Dekalb County governing body designate by priority the betterment projects to be done within the next fiscal year out of the monies available from Dekalb County's distributive share of the State gasoline tax and from any other sources or funds in the county road and bridge fund or other fund of the county designated for road construction. Upon the adoption of this resolution said resolution shall be forwarded to the State Highway Director and the district engineer for Dekalb County and the district engineer shall prepare a map showing each betterment project according to the priority established by the resolution which map shall be returned to the county governing body and shall be posted in a public place in the office of the county governing body or such other public place in the Dekalb County Courthouse. The State Highway Department shall construct such betterment projects as designated according to the provisions hereof unless said program is changed or amended by additional resolution duly adopted and spread on the minutes of the meeting of the Dekalb County governing body.

Section 4. The preceding section shall apply only to the funds available from Dekalb County's distributive share of the State gasoline tax and the funds available out of the Dekalb County road and bridge fund and other local sources. Any additional funds available for the construction of roads and bridges in Dekalb County which are made available by way of grant from any municipality within Dekalb County shall be spent for projects designated by the governing body of the municipality from which the funds are allocated and any additional funds by way of grant from the State Highway Department shall be spent for such projects as may be designated by the State Highway Director.

Section 5. In the event that the county governing body of Dekalb County should fail to adopt the resolution provided herein on or before the 1st day of October of each year then the county governing body shall be deemed to have forfeited the right to set up and designate the betterment projects in Dekalb County and all betterment projects for roads and bridges in Dekalb County for the next ensuing fiscal year shall be designated and set up by the State Highway Director.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this act are repealed.

Section 8. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dr. Marvin L. Barron, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Sand Mountain News, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, May 10, May 17, and May 24, all in the year 1973.

DR. MARVIN L. BARRON.

Sworn to and subscribed before me May 26, 1973.

CAREY BAKER,
Notary Public.

My commission expires 9-11-73.

By Messrs. Mims, Falkenburg, Doss, Connell, Reed (T), Bank, McNair, Boutwell, Erdreich, McMillan, Burgess and Timmons:

H. 709. To amend Section 1 of Act No. 1981, H. 732, Regular Session 1971, (Acts 1971, v. IV, p. 3224), which act establishes the Alabama Peace Officers Standards and Training Commission, so as to include the Alabama Board of Corrections within the meaning of a "law enforcement agency" and a "law enforcement officer."

Ways and Means.

By Messrs. Mims, Falkenburg, Connell, Reed (T), Bank, Doss, McNair, Boutwell, Erdreich, McMillan, Burgess, Adwell and Timmons:

H. 710. To amend Code of Alabama 1958 Recompiled, Title 45, Section 54, which section pertains to the providing of a convict with clothing and money upon discharge, so as to provide said convict with money for the least expensive mode of public transportation back to the point of sentencing.

Ways and Means.

By Messrs. Mims, Falkenburg, Connell, Reed (T), Bank, Doss, McNair, Boutwell, Erdreich, McMillan, Burgess and Timmons:

H. 711. Further regulating deductions from penitentiary and hard labor sentences for good behavior; Amending Section 1 of Act No. 534, S. B. 353, Regular Session 1943, (Acts 1943, p. 508), and repealing Act No. 481, H. B. 552, Regular Session 1953, (Acts 1953, p. 600).

Public Welfare.

By Messrs. Mims, Falkenburg, Connell, Reed (T), Bank, Doss, McNair, Boutwell, Erdreich, McMillan and Burgess:

H. 712. To amend Section 5 of Act No. 202, S. B. 27, Regular Session

1953, (Acts 1953, p. 267), as last amended, so as to increase the number of deputy commissioners which the commissioner of corrections is authorized to appoint.

Ways and Means.

By Messrs. Mims, Falkenburg, Connell, Reed (T), Bank, Doss, McNair, Boutwell, Erdreich and Burgess:

H. 713. To make additional appropriations to the Board of Corrections for the fiscal years 1973-1974 and 1974-1975 for the purpose of establishing and maintaining a law library.

Ways and Means.

By Messrs. Mims, Falkenburg, Connell, Reed (T), Bank, Doss, McNair, Boutwell, Erdreich, McMillan, Burgess and Timmons:

H. 714. To create the office of spiritual guidance counselor for state highway camps.

Ways and Means.

By Mr. Easters (With Notice and Proof):

H. 715. Relating to Coffee County, Alabama: Prohibiting any bank located in Coffee County from moving its home office or principal place of business from the municipality in which it was originally established to any other location within the said county outside the limits of the municipality in which it was originally established.

Local Legislation No. 1.

Notice and Proof H. 715:

STATE OF ALABAMA
COFFEE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Coffee County, Alabama: Prohibiting any bank located in Coffee County from moving its home office or principal place of business from the municipality in which it was originally established to any other location within the said county outside the limits of the municipality in which it was originally established.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank located in Coffee County, whether now established or hereinafter incorporated or established is hereby prohibited from moving its home office or principal place of business from the municipality in which it was originally established to any other location within Coffee County outside the limits of the municipality in which it was originally established.

REGULAR SESSION
5th Day

399

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COFFEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ferrin Cox, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Elba Clipper, a newspaper of general circulation published in Coffee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, May 10, May 17, and May 24, all in the year 1973.

FERRIN COX.

Sworn to and subscribed before me this May 28th, 1973.

KENNETH T. FULLER,
Notary Public,
State at Large.

By Mr. Easters:

H. 716. Relating to state use taxes, further amending Code of Alabama 1940, Title 51, Section 787, as amended, so as to exclude, by definition, from the computation of the tax, certain costs of transportation charged by vendors who use their own transportation equipment for delivering tangible personal property sold by them, subject to certain conditions.

Ways and Means.

By Mr. Easters:

H. 717. Relating to state sales taxes, further amending Section 1 of Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, so as to exclude, by definition, from the computation of the tax, certain costs of transportation charged by vendors who use their own transportation equipment for delivering tangible personal property sold by them, subject to certain conditions.

Ways and Means.

By Mr. Crawford:

H. 718. To amend Section 744, Title 37, Code of Alabama 1940, as amended, so as to authorize municipalities to levy an increased privilege or license tax on telephone companies not to exceed three percent of the gross receipts of such companies.

Ways and Means.

By Mr. Crawford:

H. 719. To further amend Section 429, Title 51, Code of Alabama 1940, as amended, to eliminate restrictions against levy and assessment of excise taxes by municipalities and counties.

Ways and Means.

By Mr. Crawford:

H. 720. To amend Section 747 of Title 37, Code of Alabama 1940, as amended, to authorize municipalities to levy an increased license tax on banks and branch banks.

Ways and Means.

By Mr. Crawford:

H. 721. To permit and authorize incorporated municipalities to establish zoning districts; to zone and to exercise zoning authority in their police jurisdictions in the same manner and under the same general procedures as such municipalities are now authorized to do within their corporate limits, under the provisions of Articles 1, 2 & 3, of Chapter 16, Title 37, Code of Alabama 1940, as amended; and to provide for appointment of members or additional members to zoning commissions or planning commissions; to provide for the terms of office of members and voting procedures of expanded planning commissions; and to provide a procedure for municipalities to exercise this authority in overlapping police jurisdictions.

Agriculture.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 722. To regulate further the compensation of registrars in Houston County.

Local Legislation No. 1.

Notice and Proof H. 722:

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further the compensation of registrars in Houston County.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the Board of Registrars of Houston County shall receive ten dollars (\$10.00) per day to be paid by the state, and ten dollars (\$10.00) per day by Houston County, to be dispensed on order of the Judge of Probate.

Section 2. Six days annual sick leave, with pay, shall be allowed each member of the Board of Registrars.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

REGULAR SESSION
5th Day

401

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 4-20, 27; 5-4, 11, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 24th day of May, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 723. Relating to Houston County; Providing for the payment of the Salary and expense allowance to the coroner of said county and to validate salary and expense allowance heretofore paid to the coroner by the governing body and to repeal conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 723:

A BILL
TO BE ENTITLED
AN ACT

Relating to Houston County; Providing for the payment of the Salary and expense allowance to the coroner of said county and to validate salary and expense allowance heretofore paid to the coroner by the governing body and to repeal conflicting laws:

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of said county shall be entitled to receive a salary of \$100 per month. The salary paid to the coroner prior to passage of this Act and subsequent to September 1, 1971, is hereby validated and approved, in addition to his salary, he shall be entitled to receive an expense allowance of \$150 per month, any expense allowance paid to the coroner prior to passage of this Act and subsequent to September 1, 1972, is hereby validated and approved.

Section 2. This Act shall supersede Act No. 65, page 4275 act of the Legislature 1971, Act No. 48, page 2672 of the special session of the Legislature 1970.

Section 2. The salary and expense allowance shall be paid out of the general fund of Houston County.

Section 3. The provisions of this act are severable, if any part of the act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 4-26; 5-3, 10, 14, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 24th day of May, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 724. To repeal Act Number 1360, H. 2200, approved September 17, 1971, page 2302, Regular Session 1971, entitled "An Act to provide an additional expense allowance for the tax collector, tax assessor and county revenue commissioner of Houston County."

Local Legislation No. 1.

Notice and Proof H. 724:

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 1360, H. 2200, approved September 17, 1971, page 2302, Regular Session 1971, entitled "An Act to provide an additional ex-

REGULAR SESSION
5th Day

403

pense allowance for the tax collector, tax assessor and county revenue commissioner of Houston County."

Be It Enacted by the Legislature of Alabama.

Section 1. Act No. 1360, H. 2200, approved September 17, 1971, page 2302, Regular Session 1971, "An Act to provide an additional expense allowance for the tax collector, tax assessor and county revenue commissioner of Houston County", is repealed.

Section 2. This Act shall take effect October 1, 1973.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, an newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 4-20, 27; 5-4, 11, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 24th day of May, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof) :

H. 725. To provide for reimbursing the probate judge, county revenue commissioner, clerk circuit court and register of the circuit court of Houston County, Alabama, for certain expenses incurred while out of the county in performance of the duties as such county official, reimburse each the cost of membership in his association including actual expenses incurred traveling to and from and attendance of such meetings.

Local Legislation No. 1.

Notice and Proof H. 725:

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for reimbursing the probate judge, county revenue commissioner, clerk circuit court and register of the circuit court of Houston County,

Alabama, for certain expenses incurred while out of the county in performance of the duties as such county official, reimburse each the cost of membership in his association including actual expenses incurred traveling to and from and attendance of such meetings.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners or like governing body of Houston County, after having audited the vouchers, shall reimburse the probate judge, county revenue commissioner, clerk circuit court and register of the circuit court, for the actual amount of any reasonable expenses incurred while out of the county in performance of the duties as such county official, he shall be reimbursed the cost of membership in his association including actual expenses incurred traveling to and from and attendance of such meetings, all of which shall be in addition to any and all other compensation or allowances prescribed by law for the probate judge, county revenue commissioner, clerk circuit court and register of the circuit court, such expense allowance shall be paid out of any funds in the county treasury not otherwise appropriated or as specified by the governing body of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 4-20, 27; 5-4, 11, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 24th day of May, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 726. To amend Section 1 and Section 6 of Act Number 870 page 1630, H. 1521, of the regular session of the Legislature of Alabama 1971, entitled, "An Act to provide for the salary of the Sheriff of Houston County and the payment of the expenses of operating his office."

Local Legislation No. 1.

Notice and Proof H. 726:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 and Section 6 of Act No. 870 page 1630, H. 1521, of the regular session of the Legislature of Alabama 1971, entitled, "An Act to provide for the salary of the Sheriff of Houston County and the payment of the expenses of operating his office."

Be It Enacted by the Legislature of Alabama.

Section 1. That Section 1 of Act No. 870 H. 1521, page 1630, of the Regular session of the Legislature of Alabama 1971, approved September 7, 1971, entitled as aforesaid, be and the same is hereby amended to read as follows:

"Section 1. The Sheriff of Houston County shall be compensated for his service by an annual salary of Fifteen Thousand Dollars (\$15,000) payable in equal monthly installments out of the county treasury as the salaries of other county employees are paid.

The Sheriff and his deputies shall be entitled to such expense allowances as may be payable according to law for returning or transferring prisoners and insane persons to or from points outside the county.

Section 2. That Section 6 of Act No. 870, H. 1521, page 1630 of the Regular session of the Legislature of Alabama 1971, approved September 7, 1971, entitled as aforesaid, be and the same is hereby amended to read as follows

"Section 6. This Act shall become effective upon the expiration of the term of the incumbent Sheriff.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 4-26; 5-3, 10, 14, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 24th day of May, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 727. To provide for reimbursing the employees of the Probate Judge, County revenue commissioner, Clerk circuit court and the register of

the circuit court of Houston County, Alabama, for expenses incurred in travel outside their respective county.

Local Legislation No. 1.

Notice and Proof H. 727:

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit.

A BILL
TO BE ENTITLED
AN ACT

To provide for reimbursing the employees of the Probate Judge, County revenue commissioner, Clerk circuit court and the register of the circuit court of Houston County, Alabama, for expenses incurred in travel outside their respective county.

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the recommendation of the Probate Judge, County Revenue commissioner, Clerk circuit court and the register of the circuit court and with the approval of the board of commission, court of county commissioners, or like governing body of Houston County, the employees of the within named officials shall be entitled to be reimbursed for the actual amount of any reasonable expenses incurred while out of the county in connection with the official duties of the probate judge, county revenue commissioner, Clerk circuit court and the register of the circuit court; all of which shall be in addition to any and all other compensation or allowances prescribed by law for the employees, such expense allowance shall be paid out of any funds in the county treasury not otherwise appropriated or as specified by the governing body of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, April 20, 27; May 4, 11, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post

office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 24th day of May, 1973

EUGENE S. McCLINTIC,
Notary Public.

By Mr. Cauthen:

H. 728. To allow official court reporters upon request or order of the court to take certain written testimony for parties to any cause, set a time limit for furnishing copies of such testimony and the fees for such services, require that the number of words in transcripts prepared under this act or Code of Alabama 1940, Title 13, Section 263, be certified within 1000 words, and establish certain penalties for incorrectly certifying the number of words.

Judiciary.

By Messrs. King, Roberts, Hale, Flipppo, Grainger, Hearn, Carnes, Adams, St. John, Carter, Coshatt and Waldrop:

H. 729. To authorize the governing body of any county to create a county planning commission; to permit members of the county governing body, including its presiding officer, to serve on a county planning commission; to provide for the organization, powers, jurisdiction, personnel, and financial and legal status of such commissions; to authorize the county to adopt regulations for the subdivision of land within the county, and to provide for their administration through a county planning commission; to authorize the county to divide the county into districts and within such districts regulate the use of land, the height, bulk, and use of buildings and structures, the density of population; to provide for county boards of zoning adjustment and define the authority, powers, and functions of such boards, and the procedure and appeals from their decisions; to provide remedies in the enforcement of resolutions and regulations made by the county under the authority of this act; to provide for penalties for violations thereof; to provide for the county and municipalities to join with other counties or municipalities to establish planning regions and create regional planning commissions and to provide for the organization, powers and duties of such regional planning commission.

Agriculture.

By Messrs. Dill and Cauthen:

H. 730. To repeal Title 14, Sections 420, as amended, 421, as amended, and 422, Code of Alabama 1940, which relate to certain acts prohibited on Sunday and prescribing the punishment therefor.

State Administration.

By Messrs. Wise, Jackson, Benton, Kinsey, Owens, Lang, Crawford, Connell, Barkett, Smith (K), Snell, Smith (P), Edwards, Easters and May:

H. 731. To provide for the keeping of records by junk dealers and scrap metal processors of the purchases of copper wire subject to inspection

by sheriffs and state law enforcement officers, and to provide a penalty for the violation thereof.

Judiciary.

By Mr. Reed (T):

H. 732. To amend Title 13, Sections 350 and 352, Code of Alabama 1940, which relates to juvenile court jurisdiction, so as to raise the age of a dependent child, a neglected child, and a juvenile child from sixteen to eighteen years, and to place such persons eighteen years of age or younger within the jurisdiction of juvenile courts.

Judiciary.

By Mr. Roberts:

H. 733. To regulate further the practice of medicine and osteopathy in the State of Alabama; to amend Sections 259, 262, 264, 267, 270, 271, 274, 277, 278, 280, 282, 286, 290, 291, 292, and 294 of Title 46 of the Code of Alabama of 1940; and to repeal Section 269 of Title 46 of the Code of Alabama of 1940.

Health.

By Messrs. Falkenburg, Mims, Reed (T), Bank, Doss, McNair, Boutwell, Erdreich, McMillan, Burgess, Timmons and Wallace:

H. 734. To amend further Code of Alabama 1940, Title 45, Section 144 in relation to the allowance for feeding prisoners.

Local Legislation No. 2.

By Messrs. Grainger and Roberts:

H. 735. To provide for legislative findings, purpose, and intent, to provide for definitions; to transfer duties to the Alabama Air Pollution Control Commission and the Alabama Water Improvement Commission; to provide for personnel policies; and to provide for repeal of inconsistent laws, and an effective date.

Ways and Means.

By Messrs. Grainger, Lutz, King, Hale and Hearn:

H. 736. To create two additional judgeships for the Twenty-third Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judges.

Ways and Means.

By Mr. Wood (With Notice and Proof):

H. 737. Relating to Mobile County, to further amend Sections 8 and 10 of Act No. 367, H. 401, Special Session of 1966, (Acts 1966, p. 506), as last amended, which act provides for the jurisdiction of the Court of General Sessions of Mobile County, so as to confer exclusive jurisdiction in that court in matters pertaining to forcible entry and detainer, and unlawful detainer; and all actions brought under Title 31, Sections 35 through 45, Code of Alabama (1940); and to repeal specifically Act No. 325, S. 434, Regular Session

1951 (Acts 1951, p. 616), which act conferred jurisdiction over forcible entry and detainer, and unlawful detainer actions in the Inferior Civil Court of Mobile County, and providing for court costs.

Local Legislation No. 3.

Notice and Proof H. 737:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County, to further amend Sections 8 and 10 of Act No. 367, H. 401, Special Session of 1966, (Acts 1966, p. 506), as last amended, which act provides for the jurisdiction of the Court of General Sessions of Mobile County, so as to confer exclusive jurisdiction in that court in matters pertaining to forcible entry and detainer, and unlawful detainer; and all actions brought under Title 31, Sections 35 through 45, Code of Alabama (1940); and to repeal specifically Act No. 325, S. 434, Regular Session 1951 (Acts 1951, p. 616), which act conferred jurisdiction over forcible entry and detainer, and unlawful detainer actions in the Inferior Civil Court of Mobile County, and providing for court costs.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 8 of Act No. 367, H. 401, Special Session of 1966 (Acts 1966, p. 506) as last amended, is hereby amended to read as follows:

"Section 8. The Court of General Sessions of Mobile County shall have and exercise civil jurisdiction in Mobile County concurrently with the Circuit Court of Mobile County in all civil matters where the amount in controversy does not exceed one thousand five hundred dollars and in addition shall have jurisdiction over all civil matters where the amount in controversy is not more than fifty dollars. The court shall also have exclusive jurisdiction, with the exception of the Circuit Court of Mobile County, in matters pertaining to forcible entry and detainer, and unlawful detainer, where the real property lies anywhere within the limits of Mobile County, Alabama, and said General Sessions Court shall also have exclusive jurisdiction in Mobile County, with the exception of the Circuit Court of Mobile County, of all possessory actions brought under Title 31, Sections 35 through 45, Code of Alabama (1940). The Court shall not have jurisdiction in equity nor of actions of libel, slander, assault and battery, ejectment and actions in the nature of ejectment. Nothing in this Act shall be construed to give the judges of the Court of General Sessions of Mobile County, any authority to grant writs of prohibition of mandamus, injunction or ne exeat."

Section 2. Section 10 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328), is amended to read as follows:

"Section 10. The costs in civil and criminal cases, except as hereinafter especially provided, shall be the same as prescribed by law for justices of the peace, to be collected in the same manner as in justice of the peace courts. In civil cases, the following specific costs shall be charged and collected: Summons and proceedings thereon to judgment, \$1.50; Docketing each cause, \$1.00; Attachment Bond and Affidavit, \$2.50; Issuing each attachment, \$1.00; Summoning Garnishee and taking examination, \$1.00; Subpoena for each witness, \$.50; Execution and taking costs thereon, \$1.00; Each appeal or certiorari, \$1.50; Every necessary certificate or notice not otherwise provided for, \$1.00; for Issuing each writ of detinue, \$1.00; For each Soire Facias or notice in nature thereof, \$1.00; Every other Bond, \$1.00; Administering an oath and certifying same \$.50; Issuing Notice of Appeal, \$1.00; Judgment Ni Si against garnishee, \$1.00; Writ of discovery, Contempt and Arrest, \$1.00; Alias Summons \$1.50. In criminal cases, the following specific costs shall be charged and collected: Each complaint \$.50; Issuing Warrant of Arrest, \$1.00; Issuing Search Warrant, \$2.00; Issuing subpoena or notice, \$.50; Order of Commitment to Jail, \$.50; ECH Continuance, \$.50; Taking Bond and Certifying proceedings on appeal, \$2.00; Execution for costs, \$.50; Issuing Attachment Warrant, \$1.00; Certified Copy of transcript, \$2.00; Docketing each cause, \$.50; Certified copy of bond, \$1.00; Summons in all cases brought under Title 31, Sections 35 through 45, \$2.00; Receiving and Filing of counter affidavits in cases brought under Title 31, Section 35 through 45, \$2.00; Issuance of writs of possessions and execution in all cases brought under Title 31, Sections 35 through 45, \$2.00; Entering of final judgments in all cases brought under Title 31, Sections 35 through 45, \$2.00; Every summons in cases of forcible entry and detainer and unlawful detainer, \$2.00; Administering of oath or affirmation in cases of forcible entry and detainer and unlawful detainer, \$2.00; Entering judgment in cases of forcible entry and detainer and unlawful detainer, \$2.00; Trials of cases of forcible entry and detainer and unlawful detainer, \$2.00. Each writ of restitution in cases of forcible entry and detainer and unlawful detainer, \$2.00; Return on appeal or certiorari in cases of forcible entry and detainer and unlawful detainer, \$2.00."

Section 3. All laws or parts of laws which conflict with this act are repealed, and Act No. 325, S. 434, Regular Session 1951 (Acts 1951, p. 616), is specifically repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was

5th Day

published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 23, April 30, May 7, and May 14, all in the year 1973.

E. E. KOCH

Sworn to and subscribed before me May 31, 1973.

GARY L. RICHARDSON

Notary Public.

By Messrs. Wood, Carnes, St. John, Stewart, Doss, Hill, Perloff, Erdreich, Williams, Taylor, Casey and Barkett:

H. 738. To create a State Commission on Salaries for the purpose of assisting the Legislature in ascertaining the salaries or compensation of justices and judges of state courts; to provide for the composition of the Commission, for the terms of office, method of appointment, allowances and expenses of Commission, members; to provide a method of filling vacancies; to authorize the members to select a Chairman; to provide for a Secretary of the Commission; to fix salaries or compensation for said justices and judges; to direct and empower the Commission to make findings of fact pertaining to the amounts of such salary or compensation; to provide for the filing of written reports of the results and determinations of each study conducted by the Commission; to provide for the alteration or rejection by Act of Legislature of the determinations made by the Commission; to provide for the effective date of the establishment of such salaries or compensation; to provide for the filing of any reports of the Commission with certain offices; to appropriate sufficient monies to pay for the salaries or compensation of the officers, offices and positions affected by this act.

Ways and Means.

By Messrs. Stokes and Nettles (With Notice and Proof):

H. 739. To amend further Code of Alabama 1940, Title 13, Section 254 as last amended by Act No. 313, H. 823, Regular Session 1971, by increasing the compensation of certain deputy circuit solicitors in the Thirteenth Judicial Circuit.

Local Legislation No. 3.

Notice and Proof H. 739:

LEGAL NOTICE

Synopsis: This bill amends further Code of Alabama 1940, Title 13, Section 254 as amended, by increasing the compensation of certain deputy circuit solicitors in the Thirteenth Judicial Circuit.

A BILL
TO BE ENTITLED
AN ACT

To amend further Code of Alabama 1940, Title 13, Section 254 as last amended by Act No. 313, H. 823, Regular Session 1971, by increasing the compensation of certain deputy circuit solicitors in the Thirteenth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 13, Section 254, as amended, is hereby amended further to read as follows:

"Section 254. Deputy or assistant district attorneys of the thirteenth judicial circuit.—The circuit solicitor of the thirteenth judicial circuit may appoint four deputies or assistant solicitors, who shall be appointed and serve in lieu of all other deputy circuit solicitors heretofore provided for by law. The four deputy circuit solicitors or assistants herein provided for shall serve at the pleasure of the circuit solicitor, and each shall be assigned a numbered position and receive compensation as follows:

"(a) Deputy No. 1 may serve either full time or part time, as the solicitor may determine. If the deputy serves full time he is entitled to an annual salary of twelve thousand dollars, seven thousand two hundred dollars of which shall be paid from the state treasury and the remainder shall be paid by the county; but if he only serves part time, he is entitled to an annual salary of six thousand dollars, all of which shall be paid from the state treasury.

"(b) Deputy No. 2 may serve either full time or part time as the solicitor may determine. If the deputy serves full time he is entitled to an annual salary of ten thousand dollars, five thousand seven hundred sixty dollars of which shall be paid from the state treasury and the remainder shall be paid by the county; but if he serves only part time, he is entitled to an annual salary of four thousand eight hundred dollars, all of which shall be paid from the state treasury.

"(c) Deputy No. 3 shall serve part time only and is entitled to a salary of four thousand five hundred dollars a year, of which three thousand nine hundred dollars shall be payable from the state treasury and the remainder shall be paid by the county.

"(d) Deputy No. 4 shall serve part time only and is entitled to a salary of four thousand five hundred dollars a year, two thousand two hundred fifty dollars of which shall be paid from the state treasury and the remainder shall be paid by the county.

"The salaries of the deputy solicitors herein provided for shall be paid in equal monthly installments on warrants drawn in the manner prescribed by law. When any deputy of the solicitor serves part restrictions against practicing law prescribed by subsection 12 of Section 229 of this title.

"The district attorney of the thirteenth judicial circuit of Alabama, in addition to the four deputy or assistant district attorneys now provided for, may appoint a full-time deputy or assistant district attorney who shall serve at the pleasure of the district attorney. The said full-time deputy or assistant district attorney shall devote his entire time to the discharge of the duties of the office and is prohibited from practicing law directly or indirectly in any court of this state or of the United States or indirectly in any court of this state or of the United States or in any other manner or form whatsoever, except in the discharge of the official duties of his office.

"The said full-time deputy or assistant district attorney shall be paid an annual salary of \$17,500, eight thousand dollars of which shall be paid from the state treasury and the remainder shall be paid out of the general fund of Mobile County, both in equal monthly installments.

"The district attorney of the thirteenth judicial circuit, in addition to the four deputy or assistant district attorneys and the one full-time deputy or as-

sistant district attorney now provided for by law, may appoint a second and third full-time deputy or assistant district attorney who shall serve at the pleasure of the district attorney. The said second and third full-time deputies or assistant district attorneys shall devote their entire time to the discharge of the duties of the office and are prohibited from practicing law directly or indirectly in any court of this state or in the United States or in any other manner or form whatsoever, except in the discharge of the official duties of the office.

"The second full-time deputy or assistant district attorney shall be paid an annual salary of \$15,000.00, \$8,075.00 of which shall be paid from the state treasury and the remainder to be paid from the general fund of Mobile County, both in equal monthly installments.

"The third full-time deputy or assistant district attorney shall be paid an annual salary of \$13,500, \$6,750.00 of which shall be paid from the state treasury and the remainder to be paid from the general fund of Mobile County, both in equal monthly installments."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Judy Beasley being sworn, says that she is Bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register, April 13, 20, 27 and May 4.

JUDY BEASLEY.

Sworn to and subscribed before me this 11th day of May, 1973.

E. KOCH,
Notary Public.

By Messrs. Stokes and Nettles:

H. 740. To amend further Section 4, Act No. 172, H. 187, 1st Special Session 1964, as amended, which Act related to Judicial Circuits composed of one county and having not less than six nor more than nine Circuit Judges, by increasing the salary range for the Administrative Assistant to the District Attorney in such counties.

Local Legislation No. 3.

By Messrs. Stokes and Nettles:

H. 741. Relating to Judicial Circuits composed of one county and having not less than six or more than nine Circuit Judges; to provide for the appointment in said circuits of one Grand Jury Bailiff; to prescribe his duties, to fix his term of employment and to prescribe his compensation and provide for the payment of his compensation out of the General Fund of the County.

Local Legislation No. 3.

By Mr. Perloff (With Notice and Proof):

H. 742. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Local Legislation No. 3.

Notice and Proof H. 742:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Saraland in Mobile County, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of said city, in addition to the lands now included, all of the following territory, to-wit:

Beginning at the Southeast corner of Section 31, Township 2 South, Range 1 West; thence north along a line a distance of 1108 feet, more or less, to a point on the south line of Alvarez's Fifth Addition, said point being 225.5 feet from the southeast corner of said subdivision and also being located on the existing Corporate Limit line; thence west along the south line of Alvarez's Fifth Addition a distance of 494.50 feet to the southwest corner of said subdivision; thence north along the west line of Alvarez's Fifth Addition a distance of 1536 feet, more or less, to a point in the center of Bayou Sara Creek said point also being the northwest corner of said subdivision; thence southwestwardly along the meanderings of the centerline of Bayou Sara Creek a distance of 1,000 feet, more or less, to a point which lies 2,957 feet, more or less, south and 1,635 feet, more or less, west of the northeast corner of Section 31; thence north along a line a distance of 2,880 feet, more or less, to a point on the southwest right of way line of Celeste Road; thence northwest along said right of way line a distance of 33.8 feet to a point formed by the intersection of the southwest right of way line of Celeste Road and the south right of way line of LaFitte Drive; thence west along the south right of way line of La Fitte Drive a distance of 994.7 feet to a point on said right of way line; thence south a distance of 2,657 feet more or less to a point; thence west a distance of 551.6 feet to a point; thence south a distance of 2,640 feet, more or less to a point on the south line of Section 31, said point also lying on the centerline of the Old C. C. Road; thence east along the south line of Section 31 and the centerline of the Old C. C. Road a distance of 3013 feet, more or less, to the point of beginning. Herein described property being situated in Section 31, Township 2 South, Range 1 West, Mobile County, Alabama and containing approximately 230 acres.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Of-

Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 13, 20, 27, and May 4, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me May 10, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. Mims:

H. 743. Proposing an amendment to the Constitution relating to the compensation and allowances for members of the legislature.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Perloff (With Notice and Proof):

H. 744. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Local Legislation No. 3.

Notice and Proof H. 744:

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Saraland in Mobile County, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of said city, in addition to the lands now included, all of the following territory, to wit:

Beginning at the northwest corner of fractional Section 33, Township 2 South, Range 1 West; thence east along the north line of fractional Section 33 a distance of 210.5 feet to the southwest corner of regular Section 28, Township 2 South, Range 1 West; thence north along the west line of Section 28 a distance of 2640 feet, more or less, to the northwest corner of the southwest one quarter of Section 28; thence east along the north line of the southwest and southeast one quarters of Section 28 a distance of 3415 feet, more or less, to a point formed by the intersection of said north line and the west right of way line of Interstate Highway 65; thence southwest along the west right of way line of Interstate Highway 65 a distance of 5050 feet, more or less, to a point formed by the intersection of said right of way line and centerline of Bayou Sara Creek, said centerline also being the existing Corporate Limit line

of the City of Saraland; thence westwardly along the meanderings of the centerline of Bayou Sara Creek and existing Corporate Limit line a distance of 1800 feet, more or less, to a point formed by the intersection of said line and the west line of fractional Section 33, Township 2 South, Range 1 West; thence northerly along the west line of fractional Section 33 a distance of 1574 feet, more or less, to the point of beginning of description. Herein described property being located in Section 28 and fractional Section 33, Township 2 South, Range 1 West, Mobile County, Alabama and containing approximately 181 acres.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 13, 20, 27, and May 4, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me May 10, 1973.

GARY L. RICHARDSON,
Notary Public.

By Messrs. Bank and Falkenburg:

H. 745. Further amending Code of Alabama 1940, Title 22, Sections 40, 42 relating to Vital Statistics, providing for equitable fees for service to county registration districts and state registration district in conformity with surrounding states.

Health.

By Messrs. Crowe, Hobbie, Naramore, Doss, Jones (E), Dill, Williams, Goodwin, Reynolds, Cottingham, Turner, Callahan, Roberts, Mims, McCorquodale, Agee, King, McCluskey, Casey, Cross, Coshatt, Chesnut, Smith (P), Collins, Slate, Pruitt and Carnes:

H. 746. To make it a felony punishable by additional sentence without parole for any person confined to any correctional institution to possess a firearm, knife or other deadly weapon.

Public Welfare.

By Mr. Hobbie:

H. 747. To amend further Section 5 of Act No. 515, H. 93, approved July 9, 1945 (General Acts 1945, p. 734), as amended, which relates to the

Employees' Retirement System of Alabama; to make an appropriation and give the amendment retroactive effect.

Ways and Means.

By Messrs. Jones (F) and Taylor:

H. 748. To create and establish the State Licensing Board for the Servicing of Mobile Homes; providing for the appointment of said Board, its composition, duties, responsibilities and compensation; providing certain procedures and fees for examining and licensing servicemen and repairmen; providing for an executive assistant, and necessary employees for said board; and for the disposition of fees received for licensing and examinations.

Public Welfare.

By Messrs. Jones (F) and Taylor:

H. 749. To amend Section 6 of Act No. 1938, H. 262, Regular Session 1972, approved September 20, 1972, which act establishes a Uniform Standards Code for the construction of Mobile Homes to be sold within this state so as to require the posting of bond by the dealer or manufacturer before the issuance of a license by the State Fire Marshal.

Public Welfare.

By Mr. Adams:

H. 750. Relating to counties having a population of not less than 42,000 nor more than 49,500 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

By Mr. Jones (F):

H. 751. To amend Section 77, of Act No. 407, Regular Session 1971, Approved August 25, 1971, to redefine the terms "foreign insurer" and "domestic insurer".

Ways and Means.

By Mr. Robertson:

H. 752. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

Local Legislation No. 1.

By Mr. Fite:

H. 753. To amend Title 13, Section 124, of the Code of Alabama (1940), which relates to the appointment of special circuit judges when the regular judge recuses himself or refuses to try a case.

Judiciary.

By Messrs. Manley and Pruitt (With Notice and Proof):

H. 754. Relating to Perry County, to provide that the Sheriff shall be entitled to the allowances payable by the State for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

Notice and Proof H. 754

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Perry County, to provide that the Sheriff shall be entitled to the allowances payable by the State for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Perry County shall be entitled to keep and retain the allowances payable by the State for feeding prisoners.

Section 2. The provisions of this Act shall be retroactive to January 18, 1971, and all actions taken by the Sheriff in accordance with the provisions of this Act are hereby validated and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, 10, 17, and 24, all in the year 1973.

ALBERT STEWART.

Sworn to and subscribed before me May 24, 1973.

ELIZABETH F. STEWART,
Notary Public.
Perry Co., Ala.

By Messrs. Ellis, Hill and O'Daniel:

H. 755. To propose and provide for the submission of an amendment to the Constitution of Alabama.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Hill, Lyons, Turner, Flippo, Hearn, Hale and Jones (F):

H. 756. To provide for the creation of a department of the state to be known as the Department of Youth Services; to prescribe the powers and duties of the said department; to provide for the creation of the Alabama Youth Services board; to provide for the selection of the members of the said board; to prescribe the powers and duties of the board; to provide for the transfer of control of residential foster care facilities, and youths; to provide for the appointment of a State Youth Services Director, and to prescribe the powers and duties of the said Director; to provide court review of the decisions of the said board; to provide for reports to the Governor; to provide for the submission of an annual budget; to require competitive bidding; to authorize medical, psychiatric, surgical, and dental care for the youth of the state; to provide for the treatment, education, and disposition of youth in the custody of the said department of the said board; and to prescribe penalties for the violation of this Act.

Judiciary.

By Messrs. Hill, Hobbie, Taylor and Barron:

H. 757. To amend Code of Alabama 1940, Title 15, Section 104 which provides for the issuance of search warrants by a local magistrate, based on probable cause, delivered to the county sheriff, so as to provide for the issuance of such warrant to the sheriff or any lawful officer.

Judiciary.

By Messrs. Stewart and Carnes:

H. 758. Relating to public utilities; to require certain utility companies to reduce their rates to customers based on the amount spent on advertising.

Commerce and Transportation.

By Messrs. Hill and Flippo:

H. 759. To further amend Title 3, Section 11, Code of Alabama 1940, as amended, pertaining to cruelty to animals and providing punishment for violation of this act.

Judiciary.

By Messrs. Stewart, Carnes and Crowe:

H. 760. To prohibit any public utility or its affiliate from engaging, directly or indirectly, in promotional practices as defined in this Act in or in connection with the promotion or sale of any appliance or equipment which consumes or utilizes electric energy or gas energy; to define words and terms

used in this Act; to provide penalties for the violation of this Act; and to provide injunctive relief for the enforcement of this Act.

Commerce and Transportation.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Bassett and Hardin:

H. J. R. 63. MOURNING DEATH OF THE HONORABLE W. J. SORRELL.

WHEREAS, The Honorable W. J. Sorrell served with honor and distinction as a member of the Alabama House of Representatives during the year 1962, and

WHEREAS, His services contributed greatly to the progress and benefit of the State of Alabama and to the County of Pike which he so ably represented; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, that the death of The Honorable W. J. Sorrell, December 21, 1972, is noted with profound regret, his passing is deeply mourned, and sincere sympathy is extended to his family for their grievous loss.

BE IT FURTHER RESOLVED, That the Clerk of the House transmit a copy of this resolution to his Widow, Mrs. W. J. Sorrell, and sisters.

On motion of Mr. Bassett, the rules were suspended and the resolution, H. J. R. 63, was adopted.

Also:

By Messrs. Hale, Hearn, King, Lutz and Grainger:

H. J. R. 64. COMMENDING MARSHALL SPACE FLIGHT CENTER.

WHEREAS, Marshall Space Flight Center, located in Huntsville, Alabama, has been a major contributor to the United States space spectacles of the 1960's and 1970's, including the highly successful Apollo program; and

WHEREAS, Marshall Space Flight Center designed, assembled and tested the NASA Skylab vehicle; and

WHEREAS, The Skylab is an orbiting scientific laboratory and is the most ambitious and long-lived manned space effort yet undertaken by any nation; and

WHEREAS, The Skylab gives man a new vantage point from which to study the earth and the universe and as such is dedicated to the benefit of mankind on earth; and

WHEREAS, The Skylab was launched on May 14, and some 63 seconds after lift-off a problem arose which ultimately prevented the proper deployment of a vital heat shield jeopardizing the entire Skylab program; and

WHEREAS, Marshall's scientists and engineers quickly isolated the failed equipment and designed, constructed and tested backup hardware, all within the incredible time period of eleven days; and

WHEREAS, On May 25, the Skylab crew was launched and backup equipment successfully deployed thereby rescuing the 100-ton space laboratory and with it the entire Skylab program; and

WHEREAS, This phenomenal outpouring of human effort is a tribute to the ingenuity and unyielding dedication of Marshall's scientists and engineers.

NOW, THEREFORE, BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That we do hereby commend the Marshall Space Flight Center and its personnel for their dedication of service and their devotion to this most essential national goal; and

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Dr. Rocco Petrone, Director of Marshall Space Flight Center and that it be prominently displayed for the perusal of all the Marshall team.

On motion of Mr. Hale, the rules were suspended and the resolution, H. J. R. 64, was adopted.

RESOLUTIONS

The following resolutions introduced on the Fourth Legislative Day were read by title, pursuant to Joint Rule 12:

H. J. R. 58. Commending Donald Comer, Jr., on being elected president of the American Textile Manufacturers Association.

H. J. R. 62. Mourning the death of William H. Blanton of Madison County.

On motion of Mr. Merrill, the resolutions were adopted en masse.

BILLS ON THIRD READING

And the bill:

H. 380. To limit the use of public road and bridge funds of DeKalb County.

Was taken up.

Mr. Chesnut offered the following substitute to the bill:

A BILL TO BE ENTITLED AN ACT

To limit the use of public road and bridge funds of DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. Out of The DeKalb County Road and Bridge Fund, in the following fiscal years the amounts of money set out by each year must be

5th Day

spent for construction, maintenance or repair of roads and bridges in DeKalb County and for no other purpose:

1973-74	\$ 10,000
1974-75	\$ 20,000
1975-76	\$ 30,000
1976-77	\$ 40,000
1977-78	\$ 50,000
1978-79	\$ 60,000
1979-80	\$ 70,000
1980-81	\$ 80,000
1981-82	\$ 90,000
1982-83	\$100,000

Each fiscal year thereafter \$100,000.00.

Section 2. Any remaining funds in the road and bridge fund in DeKalb County may be transferred or spent as is currently provided by law.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

REGULAR SESSION
5th Day

423

And the bill, H. 380, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 222. To provide further for the election and qualifications of the members of the governing body of Cherokee County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Gafford	McDonald
Adams	Collins	Grainger	McMillan
Adwell	Coshatt	Hale	McNair
Agee	Cottingham	Hardin	Manley
Bank	Crawford	Harris	Mathews
Barkett	Cross	Headley	May
Barron	Culver	Hearn	Meeks
Bassett	Dill	Hill	Merrill
Benton	Doss	Hobbie	Mims
Boutwell	Downing	Hughes	Naramore
Bowers	Drake	Jackson	Nettles
Brassell	Easters	Jones (F)	O'Daniel
Burgess	Edwards	King	Owens
Callahan	Ellis	Kinsey	Parker
Carnes	Erdreich	Lang	Perloff
Carter	Falkenburg	Lutz	Pruitt
Casey	Fite	McBride	Reid (R)
Cauthen	Flippo	McCluskey	Roberts

5th Day

Robertson	Stewart	Turner	Warren
St. John	Stokes	Turnham	Weeks
Slate	Stubbs	Waggoner	Wise
Smith (K)	Taylor	Waldrop	Wood
Smith (P)	Therrell	Wallace	Wynot
Snell	Timmons		

—94

And the bill:

H. 385. Relating to Conecuh County, to authorize the County Governing body to pay the County Coroner an expense allowance of \$50 per month which shall be in addition to all other salary, compensation and expense allowance provided by law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 386. Relating to Conecuh County; imposing a tax on malt or brewed alcoholic beverages and providing for the disposition of the proceeds therefrom prescribing penalties for the violation of the provisions of this Act; making the provisions of this Act retroactive to July 13, 1972.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boutwell
Adams	Bank	Bassett	Bowers
Adwell	Barkett	Benton	Brassell

REGULAR SESSION

425

5th Day

Burgess	Falkenburg	McDonald	Slate
Callahan	Fite	McMillan	Smith (K)
Carnes	Flippo	McNair	Smith (P)
Carter	Gafford	Manley	Snell
Casey	Grainger	Mathews	Stewart
Cauthen	Hale	May	Stokes
Chesnut	Hardin	Meeks	Stubbs
Collins	Harris	Merrill	Taylor
Coshatt	Headley	Mims	Therrell
Cottingham	Hearn	Naramore	Timmons
Crawford	Hill	Nettles	Turner
Cross	Hobbie	O'Daniel	Turnham
Culver	Hughes	Owens	Waggoner
Dill	Jackson	Parker	Waldrop
Doss	Jones (F)	Perloff	Wallace
Downing	King	Pruitt	Warren
Drake	Kinsey	Reid (R)	Weeks
Easters	Lang	Roberts	Wise
Edwards	Lutz	Robertson	Wood
Ellis	McBride	St. John	Wynot
Erdreich	McCluskey		

—94

And the bill:

H. 392. Relating to Colbert County; to provide for the compensation of certain deputy sheriffs of Colbert County who are engaged in enforcing state traffic and motor vehicle laws to be paid from the county public highway and traffic fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 395. Relating to counties having a population of not less than 12,000 nor more than 12,800 inhabitants, according to the most recent federal decennial census; to provide further for the compensation of jurors in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 396. Relating to all counties having populations of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; providing for an increase in the compensation of the members of the board of registrars in such counties and further providing for the method of payment of said compensation by the county governing body in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bassett	Carnes	Cottingham
Adams	Benton	Carter	Crawford
Adwell	Boutwell	Casey	Cross
Agee	Bowers	Cauthen	Culver
Bank	Brassell	Chesnut	Dill
Barkett	Burgess	Collins	Doss
Barron	Callahan	Coshatt	Downing

REGULAR SESSION
5th Day

427

Drake	Hughes	Mims	Stewart
Easters	Jackson	Naramore	Stokes
Edwards	Jones (F)	Nettles	Stubbs
Ellis	King	O'Daniel	Taylor
Erdreich	Kinsey	Owens	Therrell
Falkenburg	Lang	Parker	Timmons
Fite	Lutz	Perloff	Turner
Flippo	McBride	Pruitt	Turnham
Gafford	McCluskey	Reid (R)	Waggoner
Grainger	McDonald	Roberts	Waldrop
Hale	McMillan	Robertson	Wallace
Hardin	McNair	St. John	Warren
Harris	Manley	Slate	Weeks
Headley	Mathews	Smith (K)	Wise
Hearn	May	Smith (P)	Wood
Hill	Meeks	Snell	Wynot
Hobbie	Merrill		

—94

And the bill:

H. 397. Relating to all counties having populations of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; providing for an increase in the compensation of the members of the boards of equalization in such counties and further providing for the method of payment of said compensation by the county governing body in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 398. To authorize the payment of expenses to members of the county board of education in counties having populations of not less than

5th Day

10,660 nor more than 10,900, according to the most recent or any subsequent federal decennial census, and to authorize the operation of the Act to be retroactive to August 10, 1965.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 408. Relating to all counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; authorizing the county governing body of each of such counties to provide for employment of clerical assistance for the tax assessor, whose compensation is payable out of county funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Falkenburg
Adams	Burgess	Cross	Fite
Adwell	Callahan	Culver	Flippo
Agee	Carnes	Dill	Gafford
Bank	Carter	Doss	Grainger
Barkett	Casey	Downing	Hale
Barron	Cauthen	Drake	Hardin
Bassett	Chesnut	Easters	Harris
Benton	Collins	Edwards	Headley
Boutwell	Coshatt	Ellis	Hearn
Bowers	Cottingham	Erdreich	Hill

REGULAR SESSION

429

5th Day

Hobbie	Manley	Reid (R)	Therrell
Hughes	Mathews	Roberts	Timmons
Jackson	May	Robertson	Turner
Jones (F)	Meeks	St. John	Turnham
King	Merrill	Slate	Waggoner
Kinsey	Mims	Smith (K)	Waldrop
Lang	Naramore	Smith (P)	Wallace
Lutz	Nettles	Snell	Warren
McBride	O'Daniel	Stewart	Weeks
McCluskey	Owens	Stokes	Wise
McDonald	Parker	Stubbs	Wood
McMillan	Perloff	Taylor	Wynot
McNair	Pruitt		

—94

And the bill:

H. 425. To create the position of deputy coroner in all counties having a population of not less than 26,000 nor more than 26,800 inhabitants according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 465. To alter, rearrange and extend the boundary lines and corporate limits of the City of Pell City in St. Clair County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 466. Relating to St. Clair County; to provide further for the compensation of jurors.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Collins	Hale	Manley
Adams	Coshatt	Hardin	Mathews
Adwell	Cottingham	Harris	May
Agee	Crawford	Headley	Meeks
Bank	Cross	Hearn	Merrill
Barkett	Culver	Hill	Mims
Barron	Dill	Hobbie	Naramore
Bassett	Doss	Hughes	Nettles
Benton	Downing	Jackson	O'Daniel
Boutwell	Drake	Jones (F)	Owens
Bowers	Easters	King	Parker
Brassell	Edwards	Kinsey	Perloff
Burgess	Ellis	Lang	Pruitt
Callahan	Erdreich	Lutz	Reid (R)
Carnes	Falkenburg	McBride	Roberts
Carter	Fite	McCluskey	Robertson
Casey	Flippo	McDonald	St. John
Cauthen	Gafford	McMillan	Slate
Chesnut	Grainger	McNair	Smith (K)

REGULAR SESSION
5th Day

431

Smith (P)	Taylor	Waggoner	Weeks
Snell	Therrell	Waldrop	Wise
Stewart	Timmons	Wallace	Wood
Stokes	Turner	Warren	Wynot
Stubbs	Turnham		

—94

And the bill:

H. 467. Legalizing the sale of draft or keg beer or malt beverages in St. Clair County:

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 468. Relating to St. Clair County; to require all county and municipal governing bodies, boards, agencies and institutions receiving any public tax revenues to publish certain annual financial data; providing penalties for failure to comply with the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Barron	Burgess	Chesnut
Adams	Bassett	Callahan	Collins
Adwell	Benton	Carnes	Coshatt
Agee	Boutwell	Carter	Cottingham
Bank	Bowers	Casey	Crawford
Barkett	Brassell	Cauthen	Cross

5th Day

Culver	Hearn	Meeks	Snell
Dill	Hill	Merrill	Stewart
Doss	Hobbie	Mims	Stokes
Downing	Hughes	Naramore	Stubbs
Drake	Jackson	Nettles	Taylor
Easters	Jones (F)	O'Daniel	Therrell
Edwards	King	Owens	Timmons
Ellis	Kinsey	Parker	Turner
Erdreich	Lang	Perloff	Turnham
Falkenburg	Lutz	Pruitt	Waggoner
Fite	McBride	Reid (R)	Waldrop
Flippo	McCluskey	Roberts	Wallace
Gafford	McDonald	Robertson	Warren
Grainger	McMillan	St. John	Weeks
Hale	McNair	Slate	Wise
Hardin	Manley	Smith (K)	Wood
Harris	Mathews	Smith (P)	Wynot
Headley	May		

—94

And the bill:

H. 469. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Odenville and at Steele in said County.

Was read a third time at length and passed, and ordered set forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 538. Relating to counties having a population of not less than 26,000 nor more than 26,800 inhabitants according to the most recent federal

REGULAR SESSION
5th Day

433

decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 556. Relating to counties having a population of not less than 10,900 nor more than 11,500, according to the most recent federal decennial census; to provide further for the compensation and expenses of the county superintendent of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Burgess	Culver	Gafford
Adams	Callahan	Dill	Grainger
Adwell	Carnes	Doss	Hale
Agee	Carter	Downing	Hardin
Bank	Casey	Drake	Harris
Barkett	Cauthen	Easters	Headley
Barron	Chesnut	Edwards	Hearn
Bassett	Collins	Ellis	Hill
Benton	Coshatt	Erdreich	Hobbie
Boutwell	Cottingham	Falkenburg	Hughes
Bowers	Crawford	Fite	Jackson
Brassell	Cross	Flippo	Jones (F)

5th Day

King	Meeks	Robertson	Timmons
Kinsey	Merrill	St. John	Turner
Lang	Mims	Slate	Turnham
Lutz	Naramore	Smith (K)	Waggoner
McBride	Nettles	Smith (P)	Waldrop
McCluskey	O'Daniel	Snell	Wallace
McDonald	Owens	Stewart	Warren
McMillan	Parker	Stokes	Weeks
McNair	Perloff	Stubbs	Wise
Manley	Pruitt	Taylor	Wood
Mathews	Reid (R)	Therrell	Wynot
May	Roberts		

—94

And the bill:

H. 571. Relating to all counties having a population of not less than 16,600 nor more than 16,950 according to the most recent federal decennial census; to provide that the sheriff of such counties shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners; and to make the provisions of this Act retroactive to March 23, 1973.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 572. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the court reporter an expense allowance of \$150.00 per month.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
5th Day

435

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 573. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff an expense allowance of \$150.00 per month.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Gafford	McDonald
Adams	Collins	Grainger	McMillan
Adwell	Coshatt	Hale	McNair
Agee	Cottingham	Hardin	Manley
Bank	Crawford	Harris	Mathews
Barkett	Cross	Headley	May
Barron	Culver	Hearn	Meeks
Bassett	Dill	Hill	Merrill
Benton	Doss	Hobbie	Mims
Boutwell	Downing	Hughes	Naramore
Bowers	Drake	Jackson	Nettles
Brassell	Easters	Jones (F)	O'Daniel
Burgess	Edwards	King	Owens
Callahan	Ellis	Kinsey	Parker
Carnes	Erdreich	Lang	Perloff
Carter	Falkenburg	Lutz	Pruitt
Casey	Fite	McBride	Reid (R)
Cauthen	Flippo	McCluskey	Roberts

5th Day

Robertson	Stewart	Turner	Warren
St. John	Stokes	Turnham	Weeks
Slate	Stubbs	Waggoner	Wise
Smith (K)	Taylor	Waldrop	Wood
Smith (P)	Therrell	Wallace	Wynot
Snell	Timmons		

—94

And the bill:

H. 582. To amend the title and Section 1 of Act No. 2374, H. 158, Regular Session, 1971 (Acts 1971, p. 3803-3804), which Act provides further for the compensation and allowances of the superintendent of education in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 583. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff's chief clerk a salary of not less than \$4,800 nor more than \$6,000 per year.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boutwell
Adams	Bank	Bassett	Bowers
Adwell	Barkett	Benton	Brassell

5th Day

Burgess	Falkenburg	McDonald	Slate
Callahan	Fite	McMillan	Smith (K)
Carnes	Flippo	McNair	Smith (P)
Carter	Gafford	Manley	Snell
Casey	Grainger	Mathews	Stewart
Cauthen	Hale	May	Stokes
Chesnut	Hardin	Meeks	Stubbs
Collins	Harris	Merrill	Taylor
Coshatt	Headley	Mims	Therrell
Cottingham	Hearn	Naramore	Timmons
Crawford	Hill	Nettles	Turner
Cross	Hobbie	O'Daniel	Turnham
Culver	Hughes	Owens	Waggoner
Dill	Jackson	Parker	Waldrop
Doss	Jones (F)	Perloff	Wallace
Downing	King	Pruitt	Warren
Drake	Kinsey	Reid (R)	Weeks
Easters	Lang	Roberts	Wise
Edwards	Lutz	Robertson	Wood
Ellis	McBride	St. John	Wynot
Erdreich	McCluskey		

—94

And the bill:

H. 584. To provide that the Sheriff of Marion County shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners, to make the provisions of this act retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 585. To provide for the appointment of an additional deputy sheriff in Marion County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 586. (With Amendment): Relating to counties having a population of not less than 14,500 nor more than 14,900 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff's chief clerk a salary of not less than \$4,800 nor more than \$6,000 per year.

Was taken up.

H. 586 POSTPONED

On motion of Mr. Fite, the bill, H. 586 with pending amendment, was postponed to the sixth legislative day.

And the bill:

H. 587. To propose an amendment to the Constitution of Alabama creating a special school tax district in Marion County and authorizing the levy and collection of special district property taxes for capital outlay purposes for the Marion County school system within said special district, and providing that such levy and collection shall be subject to a vote of the qualified electors in the district.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
5th Day

439

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 588. (With Amendment): Relating to all counties having a population of not less than 14,500 nor more than 14,900 according to the most recent federal decennial census; to provide that the sheriff of such counties shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners; and to make the provisions of this Act retroactive to January 18, 1971.

Was taken up.

H. 588 POSTPONED

On motion of Mr. Fite, the bill, H. 588 with pending amendment, was postponed to the sixth legislative day.

And the bill:

H. 589. (With Amendment): Relating to counties having a population of not less than 14,500 nor more than 14,900 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff an expense allowance of \$150 per month.

Was taken up.

H. 589 POSTPONED

On motion of Mr. Fite, the bill, H. 589 with pending amendment, was postponed to the sixth legislative day.

And the bill:

H. 178. To authorize the Cullman County governing body to provide protection against forest fires within the county and to assess the whole or a

part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 179. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Cullman County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Falkenburg
Adams	Burgess	Cross	Fite
Adwell	Callahan	Culver	Flippo
Agee	Carnes	Dill	Gafford
Bank	Carter	Doss	Grainger
Barkett	Casey	Downing	Hale
Barron	Cauthen	Drake	Hardin
Bassett	Chesnut	Easters	Harris
Benton	Collins	Edwards	Headley
Boutwell	Coshatt	Ellis	Hearn
Bowers	Cottingham	Erdreich	Hill

REGULAR SESSION
5th Day

441

Hobbie	Manley	Reid (R)	Therrell
Hughes	Mathews	Roberts	Timmons
Jackson	May	Robertson	Turner
Jones (F)	Meeks	St. John	Turnham
King	Merrill	Slate	Waggoner
Kinsey	Mims	Smith (K)	Waldrop
Lang	Naramore	Smith (P)	Wallace
Lutz	Nettles	Snell	Warren
McBride	O'Daniel	Stewart	Weeks
McCluskey	Owens	Stokes	Wise
McDonald	Parker	Stubbs	Wood
McMillan	Perloff	Taylor	Wynot
McNair	Pruitt		

—94

And the bill:

H. 180. Relating to Cullman County; levying in such county additional special county privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session of 1959 (Acts 1959, p. 298), as amended or supplemented, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of this Act by the State Department of Revenue; prescribing penalties and fixing punishment for violations of this Act; and forbidding municipalities in Cullman County to levy municipal sales and use taxes; and repealing ordinances heretofore adopted levying such municipal sales and use taxes.

Was taken up.

Mr. St. John offered the following amendment to the bill:

In Section 9 of HB 180, second paragraph thereof, strike out the words and figures, "seventy-five thousand dollars (\$75,000)" and insert in lieu thereof the following: one hundred twenty thousand dollars (\$120,000)

Also, in Section 9, third paragraph, thereof, strike out the words, "and building, repairing and maintaining bridges in the County"

Also, in Section 9, second paragraph thereof, adding at the end of said second paragraph the words "and the City of Cullman."

And the amendment was adopted.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Callahan	Doss	Hardin
Adams	Carnes	Downing	Harris
Adwell	Carter	Drake	Headley
Agee	Casey	Easters	Hearn
Bank	Cauthen	Edwards	Hill
Barkett	Chesnut	Ellis	Hobbie
Barron	Collins	Erdreich	Hughes
Bassett	Coshatt	Falkenburg	Jackson
Benton	Cottingham	Fite	Jones (F)
Boutwell	Crawford	Flippo	King
Bowers	Cross	Gafford	Kinsey
Brassell	Culver	Grainger	Lang
Burgess	Dill	Hale	Lutz

5th Day

McBride	Naramore	Slate	Turner
McCluskey	Nettles	Smith (K)	Turnham
McDonald	O'Daniel	Smith (P)	Waggoner
McMillan	Owens	Snell	Waldrop
McNair	Parker	Stewart	Wallace
Manley	Perloff	Stokes	Warren
Mathews	Pruitt	Stubbs	Weeks
May	Reid (R)	Taylor	Wise
Meeks	Roberts	Therrell	Wood
Merrill	Robertson	Timmons	Wynot
Mims	St. John		

—94

And the bill, H. 180, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 181. To provide an additional fee for recording change of ownership of motor vehicles in Cullman County and for the use thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bassett	Carnes	Cottingham
Adams	Benton	Carter	Crawford
Adwell	Boutwell	Casey	Cross
Agee	Bowers	Cauthen	Culver
Bank	Brassell	Chesnut	Dill
Barkett	Burgess	Collins	Doss
Barron	Callahan	Coshatt	Downing

REGULAR SESSION
5th Day

443

Drake	Hughes	Mims	Snell
Easters	Jackson	Naramore	Stokes
Edwards	Jones (F)	Nettles	Stubbs
Ellis	King	O'Daniel	Taylor
Erdreich	Kinsey	Owens	Therrell
Falkenburg	Lang	Parker	Timmons
Fite	Lutz	Perloff	Turner
Flippo	McBride	Pruitt	Turnham
Gafford	McCluskey	Reid (R)	Waggoner
Grainger	McDonald	Roberts	Waldrop
Hale	McMillan	Robertson	Wallace
Hardin	McNair	St. John	Warren
Harris	Manley	Slate	Weeks
Headley	Mathews	Smith (K)	Wise
Hearn	May	Smith (P)	Wood
Hill	Meeks	Stewart	Wynot
Hobbie	Merrill		

—94

And the bill:

H. 182. To provide additional revenue in Cullman County to be used exclusively for the purpose of developing and promoting tourism and conventions within the county; levying a county privilege or license tax paralleling, at lower rate, state privilege or license tax on businesses of renting rooms, lodging or accommodations to transients as provided for in Act No. 248, H. 87, Regular Session 1955, (Acts 1955, p. 586), as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 383. To apply to the Fourth Judicial Circuit of Alabama; relating to additional compensation and method of payment of the official Court Reporters of said Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 524. To amend further the City Manager Act of 1953, Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits any city in the State of Alabama having a population of more than thirty thousand and not exceeding thirty-three thousand according to the most recent federal decennial census, to adopt the council-manager form of municipal government.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Benton	Casey	Culver
Adams	Boutwell	Cauthen	Dill
Adwell	Bowers	Chesnut	Doss
Agee	Brassell	Collins	Downing
Bank	Burgess	Coshatt	Drake
Barkett	Callahan	Cottingham	Easters
Barron	Carnes	Crawford	Edwards
Bassett	Carter	Cross	Ellis

REGULAR SESSION
5th Day

445

Erdreich	King	Nettles	Stokes
Falkenburg	Kinsey	O'Daniel	Stubbs
Fite	Lang	Owens	Taylor
Flippo	Lutz	Parker	Therrell
Gafford	McBride	Perloff	Timmons
Grainger	McCluskey	Pruitt	Turner
Hale	McDonald	Reid (R)	Turnham
Hardin	McMillan	Roberts	Waggoner
Harris	McNair	Robertson	Waldrop
Headley	Manley	St. John	Wallace
Hearn	Mathews	Slate	Warren
Hill	May	Smith (K)	Weeks
Hobbie	Meeks	Smith (P)	Wise
Hughes	Merrill	Snell	Wood
Jackson	Mims	Stewart	Wynot
Jones (F)	Naramore		

—94

And the bill:

H. 541. To amend the title and Section 2 of Act No. 20, H. 10, Second Special Session 1971 (Acts 1971, p. 4147), which title and section provide for the payment of \$15 per day for each day served to the jury commission of counties having a population of not less than 10,660 nor more than 10,900, so as to provide for an increase in compensation to \$20 per day served.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 542. To amend Section 2 of Act No. 151, H. 421, approved June 30, 1953, relating to a secretarial assistant to the Register in Equity of the Circuit Court of Covington County, Alabama.

5th Day

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 550. To alter, rearrange, and extend the corporate limits of the Town of Rosa, Alabama, in Blount County, so as to include within the corporate limits thereof certain additional territory in Sections 23, 14, and 15, Township 12, South, Range 1 East.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Casey	Erdreich	King
Adams	Cauthen	Falkenburg	Kinsey
Adwell	Chesnut	Fite	Lang
Agee	Collins	Flippo	Lutz
Bank	Coshatt	Gafford	McBride
Barkett	Cottingham	Grainger	McCluskey
Barron	Crawford	Hale	McDonald
Bassett	Cross	Hardin	McMillan
Benton	Culver	Harris	McNair
Boutwell	Dill	Headley	Manley
Bowers	Doss	Hearn	Mathews
Brassell	Downing	Hill	May
Burgess	Drake	Hobbie	Meeks
Callahan	Easters	Hughes	Merrill
Carnes	Edwards	Jackson	Mims
Carter	Ellis	Jones (F)	Naramore

REGULAR SESSION
5th Day

447

Nettles	Robertson	Stubbs	Waldrop
O'Daniel	St. John	Taylor	Wallace
Owens	Slate	Therrell	Warren
Parker	Smith (K)	Timmons	Weeks
Perloff	Smith (P)	Turner	Wise
Pruitt	Snell	Turnham	Wood
Reid (R)	Stewart	Waggoner	Wynot
Roberts	Stokes		

—94

And the bill:

H. 552. Relating to Blount County: Directing and requiring the county governing body to provide for holding a referendum election relative to the continuance of the levy in such county of the special county ad valorem tax for public hospital purposes; and providing for and regulating the discontinuance of such levy if the vote at such election is against the continuance thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 553. Relating to Blount County; to require the County Board of Education to provide all public school bus drivers with liability insurance in the amount required by the Alabama Motor Vehicle Safety Responsibility Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

5th Day

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 554. Relating to the city of Oneonta in Blount County; providing for the election by popular vote of members of the city board of education; prescribing the terms, qualification and compensation of members of such city board of education; and abolishing the existing board of education in such city.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Casey	Erdreich	King
Adams	Cauthen	Falkenburg	Kinsey
Adwell	Chesnut	Fite	Lang
Agee	Collins	Flippo	Lutz
Bank	Coshatt	Gafford	McBride
Barkett	Cottingham	Grainger	McCluskey
Barron	Crawford	Hale	McDonald
Bassett	Cross	Hardin	McMillan
Benton	Culver	Harris	McNair
Boutwell	Dill	Headley	Manley
Bowers	Doss	Hearn	Mathews
Brassell	Downing	Hill	May
Burgess	Drake	Hobbie	Meeks
Callahan	Easters	Hughes	Merrill
Carnes	Edwards	Jackson	Mims
Carter	Ellis	Jones (F)	Naramore

5th Day

Nettles	Robertson	Stubbs	Waldrop
O'Daniel	St. John	Taylor	Wallace
Owens	Slate	Therrell	Warren
Parker	Smith (K)	Timmons	Weeks
Perloff	Smith (P)	Turner	Wise
Pruitt	Snell	Turnham	Wood
Reid (R)	Stewart	Waggoner	Wynot
Roberts	Stokes		

—94

And the bill:

H. 555. Relating to Blount County: to provide for the nomination and election of the board of education of the county; specifically providing for the election of the members of such board by the qualified electors of Blount County who reside outside the corporate limits of the city of Oneonta and for the nomination of candidates by the qualified electors of designated districts; dividing that part of Blount County lying outside the corporate limits of the city of Oneonta into districts for the purpose of the nomination and election of such members; prescribing the times of election of such members and their qualifications.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 558. Relating to Calhoun County; to provide for the salary of certain officials of said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 564. Relating to all counties having a population of not more than 10,660; providing a travel allowance for members of the county governing body.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Collins	Hale	Manley
Adams	Coshatt	Hardin	Mathews
Adwell	Cottingham	Harris	May
Agee	Crawford	Headley	Meeks
Bank	Cross	Hearn	Merrill
Barkett	Culver	Hill	Mims
Barron	Dill	Hobbie	Naramore
Bassett	Doss	Hughes	Nettles
Benton	Downing	Jackson	O'Daniel
Boutwell	Drake	Jones (F)	Owens
Bowers	Easters	King	Parker
Brassell	Edwards	Kinsey	Perloff
Burgess	Ellis	Lang	Pruitt
Callahan	Erdreich	Lutz	Reid (R)
Carnes	Falkenburg	McBride	Roberts
Carter	Fite	McCluskey	Robertson
Casey	Flippo	McDonald	St. John
Cauthen	Gafford	McMillan	Slate
Chesnut	Grainger	McNair	Smith (K)

5th Day

Smith (P)	Taylor	Waggoner	Weeks
Snell	Therrell	Waldrop	Wise
Stewart	Timmons	Wallace	Wood
Stokes	Turner	Warren	Wynot
Stubbs	Turnham		

—94

And the bill:

H. 565. Relating to all counties having a population of not more than 10,660; providing for the appointment, duties, and compensation of clerks for the county governing body.

Was taken up.

H. 565 POSTPONED

On motion of Mr. Lang, the bill, H. 565, was postponed to the fifteenth legislative day.

And the bill:

H. 567. Relating to counties having a population of not less than 38,100 nor more than 40,500 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 581. To amend Section 13 of Act No. 670, H. 1234, 1971 Regular Session (Acts of 1971, p. 1389), entitled, "An Act To create and establish

5th Day

the Shelby County Inferior Court; to prescribe its jurisdiction and procedure; to provide for its officers and employees and for their duties, power, qualifications, compensation, and the manner of their appointment or election; and to repeal conflicting laws."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Adwell	Doss	Lang	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	May	Therrell
Burgess	Gafford	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Hale	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Parker	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)		

—94

And the bill:

H. 208. To make an additional appropriation to the Legislative Reference Service for the current fiscal year.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Carnes	Downing	Harris
Adams	Carter	Drake	Headley
Adwell	Casey	Easters	Hill
Agee	Cauthen	Edwards	Hobbie
Barkett	Chesnut	Ellis	Jackson
Barron	Connell	Erdreich	Jones (F)
Benton	Coshatt	Falkenburg	King
Boles	Cottingham	Fite	Kinsey
Boutwell	Crawford	Flippo	Lang
Bowers	Crowe	Grainger	Lutz
Brassell	Culver	Grey (D)	McBride
Burgess	Dill	Hale	McCluskey
Callahan	Doss	Hardin	McDonald

Manley	Reid (R)	Stokes	Wallace
May	Roberts	Taylor	Warren
Meeks	Robertson	Therrell	Weeks
Merrill	St. John	Timmons	Williams
Naramore	Slate	Turner	Wise
Nettles	Smith (P)	Turnham	Wood
Owens	Snell	Waggoner	Wynot
Pruitt	Stewart	Waldrop	

—83

And the bill:

H. 321. (With Substitute) (With Amendments): To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Was taken up.

The question, then, was on the adoption of the substitute reported by the Standing Committee on Ways and Means, said substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. That, for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable to the appropriations herein made: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases, and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rents and items of general expense not defined as "equipment purchases" and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt, and for the public schools for each of the two fiscal years ending respectively September 30, 1974, and September 30, 1975, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified, from such other funds and ac-

counts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor and the amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall not be increased by the expenditure of any revenue derived from the sale, trade-in or exchange of the items of personal property described in Section 1 (c) and (d) hereof. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

FROM THE GENERAL FUND

I. LEGISLATIVE:

- (1) For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for the salaries and expenses of the Legislature for the fiscal year ending September 30, 1974 \$ 1,000,000.00
 For the fiscal year ending September 30, 1975 2,000,000.00
- (2) For the printing of Legislative Acts and Journals 100,000.00
- (3) For Legislative Council expenses .. 25,000.00
- (4) LEGISLATIVE REFERENCE SERVICE:
 For salary of the Director 20,000.00
 For other salaries 135,150.00
 For other expenses 18,850.00
 For equipment purchases 1,000.00
 Total 175,000.00
 Commission on Intergovernmental Cooperation:
 For salaries 1,800.00
 For other expenses 3,200.00
 Total 5,000.00
 Code Revision:
 For salaries and expenses, Estimated 10,000.00
- (5) DEPARTMENT OF EXAMINERS OF PUBLIC ACCOUNTS:
 For the fiscal year ending September 30, 1974:

REGULAR SESSION
5th Day

455

For the salary of the Chief Examiner	19,800.00	
For the salary of the Assistant Chief Examiner	18,800.00	
For other salaries	1,367,800.00	
For other expenses	326,300.00	
For equipment purchases	5,300.00	
For automotive equipment purchases	4,000.00	
Total		1,742,000.00
For fiscal year ending September 30, 1975:		
For the salary of the Chief Examiner	19,800.00	
For the salary of the Assistant Chief Examiner	18,800.00	
For other salaries	1,477,600.00	
For other expenses	342,800.00	
For equipment purchases	4,000.00	
For automotive equipment purchases	26,000.00	
Total		1,889,000.00

II. JUDICIAL:

(1) THE SUPREME COURT:

For the fiscal year ending September 30, 1974:		
For the salaries of the Chief Justice and eight Associate Justices	202,500.00	
For the salary of Clerk of Court, Est.	20,475.00	
For the salary of Reporter of Decisions, Est.	18,018.00	
For the salaries of Law Clerks, Est.	100,152.00	
For other salaries	319,515.00	
For other expenses	54,310.00	
For equipment purchases	14,100.00	
For automotive equipment purchases	15,200.00	
For printing Alabama Reports, Est.	11,600.00	
For advisor Commission Book	5,000.00	
For administrative fund	2,500.00	
For Consultant Study (Match Federal Fund)	2,500.00	
For Judicial Education	5,000.00	

JOURNAL OF THE HOUSE, 1973
5th Day

For Court of Reporting, Court Proceedings	1,000.00	
For Judicial Conference	9,000.00	
Total		780,870.00
For the fiscal year ending September 30, 1975:		
For the salaries of the Chief Justice and eight Associate Justices	202,500.00	
For the salary of Clerk of Court, Est.	20,475.00	
For the salary of Reporter of Decisions, Est.	18,018.00	
For the salaries of Law Clerks, Est.	100,152.00	
For other salaries	319,515.00	
For other expenses	58,060.00	
For equipment purchases	14,100.00	
For automotive equipment purchases	18,416.00	
For printing Alabama Reports, Est.	11,600.00	
For advisor Commission Book	5,000.00	
For administrative fund	2,500.00	
For Consultant Study (Match Federal Fund)	2,500.00	
For Judicial Education	5,000.00	
For Court of Reporting, Court Proceedings	1,000.00	
For Judicial Conference	9,000.00	
Total		787,836.00
For the Supreme Court Library Fund		75,000.00
(2) COURT OF CRIMINAL APPEALS:		
For salaries of the five Judges	110,000.00	
For the salaries of Law Clerks	55,640.00	
For other salaries	122,304.00	
For other expenses	24,056.00	
For equipment purchases	5,000.00	
For printing Appellate Court Reports, Est.	7,000.00	
Total		324,000.00
(3) COURT OF CIVIL APPEALS:		
For the fiscal year ending September 30, 1974:		
For salaries of three judges	66,000.00	
For the salaries of Law Clerks	33,384.00	

REGULAR SESSION
5th Day

457

For other salaries	59,774.00	
For other expenses	12,222.00	
For equipment and book purchases	7,620.00	
For printing Appellate Court Reports, Est.	7,000.00	
Total		186,000.00

For the fiscal year ending September 30, 1975:

For salaries of three judges	66,000.00	
For the salaries of Law Clerks	33,384.00	
For other salaries	59,774.00	
For other expenses	12,642.00	
For equipment and book purchases	5,200.00	
For printing Appellate Court Reports, Est.	7,000.00	
Total		184,000.00

(4) THE CIRCUIT COURTS:

For the salaries of the judges of the Circuit Courts, Est.		1,530,000.00
For travel expenses of circuit judges, Est.		17,500.00
For College of Trial Judges as provided in Act No. 730, 1967 Regular Session		9,000.00
For telephone service, stationery, stamps, and necessary office supplies for the office use of circuit judges (Provided, however, that none of this appropriation shall be expended for books and equipment purchases).		30,000.00
For the salaries and travel expenses of special judges, Est.		13,500.00
For salaries of District Attorneys, Est.	675,000.00	
For salary of the elected Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	8,500.00	
For the salary of the appointed Assistant Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	3,600.00	
For the salary of the First Deputy District Attorney of the Birmingham Division of the 10th Judicial Circuit	5,700.00	

5th Day

For the salaries of the Second and Third Deputy District Attorneys of the Birmingham Division of the 10th Judicial Circuit	10,000.00
For the salaries of the Fourth, Fifth, Sixth, Seventh and Eighth Deputy District Attorneys of the Birmingham Division of the 10th Judicial Circuit; \$4,000.00 each	20,000.00
For the salary of the Deputy District Attorney of the 4th Judicial Circuit, Estimated	17,000.00
For the salaries of the Deputy District Attorneys of the 6th Judicial Circuit	6,750.00
For the salary of the Deputy District Attorney of the 7th Judicial Circuit	6,900.00
For the salary of the Deputy District Attorney of the 8th Judicial Circuit	6,900.00
For the salaries of the Deputy District Attorneys of the 13th Judicial Circuit, Estimated	39,625.00
For the salaries of the Deputy District Attorneys of the 15th Judicial Circuit	29,800.00
For the Salaries of the Deputy District Attorneys of the 16th Judicial Circuit	6,000.00
For the salaries of the Deputy District Attorneys of the 23rd Judicial Circuit	21,000.00
For the salaries of the Deputy District Attorneys of the 26th Judicial Circuit	13,000.00
For the salary of the Deputy District Attorney of the 29th Judicial Circuit	7,200.00
For the salaries of the Deputy District Attorneys of the 31st Judicial Circuit	4,200.00
For the travel expenses of District Attorneys, estimated	18,000.00
For the salary of the stenographic secretary of the 6th Judicial Circuit	1,200.00
For telephone service, stationery, stamps, and necessary office supplies for the office use of District Attorneys, deputy District Attorneys or Assistants	30,000.00

REGULAR SESSION
5th Day

459

(Provided, however, that none of this appropriation shall be expended for books and equipment purchases.)

For the salaries of Public Defenders as provided by Act No. 1158, 1969 Regular Session

17,000.00

Total 947,375.00

For salary of supernumerary District Attorneys, estimated 78,400.00

For expenses of supernumerary District Attorneys, estimated 2,600.00

(5) COURT REPORTERS:

For the compensation of the circuit court reporters, estimated 350,000.00

For the compensation of the supernumerary circuit court reporters, estimated. 70,000.00

(6) SUPERNUMERARY JUDGES:

For salaries of supernumerary judges and justices, estimated 150,000.00

For expenses of supernumerary judges and justices, estimated 5,000.00

(7) PERMANENT STUDY COMMISSION ON ALABAMA'S JUDICIAL SYSTEM:

For the fiscal year ending September 30, 1974 26,998.84

For the fiscal year ending September 30, 1975 28,998.84

III. EXECUTIVE:

A. DEPARTMENTS, BOARDS, BUREAUS, AGENCIES AND COMMISSIONS:

(1) THE GOVERNOR'S OFFICE:

For the fiscal year ending September 30, 1974:

For salary of the Governor 25,000.00

For salary of the Executive Secretary 19,800.00

For salary of the Legal Advisor 19,800.00

For salary of the Press Secretary 19,800.00

For salary of the Confidential Assistant 19,800.00

For other salaries 147,204.00

JOURNAL OF THE HOUSE, 1973

5th Day

For other expenses	105,000.00	
For equipment purchases	3,500.00	
For automotive equipment purchases	8,000.00	
Total		367,904.00
For the fiscal year ending September 30, 1975:		
For the salary of the Governor	25,000.00	
For the salary of the Executive secretary	19,800.00	
For the salary of the Legal Advisor	19,800.00	
For the salary of the Press Secretary	19,800.00	
For the salary of the Confidential Assistant	19,800.00	
For other salaries	147,204.00	
For other expenses	105,000.00	
For printing of Governor's State Budget, estimated	22,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	8,000.00	
Total		391,404.00
(2) For the Governor's Emergency Fund, to be expended at the direction of the Governor		100,000.00
For the Governor's Controlled Contingency Fund		60,000.00
For Governor's Office— Consumer Agency,		
For salaries, other expenses, and equipment purchases		150,000.00
(3) For the Mansion Fund		45,000.00
For the Governor's Mansion at Gulf Shores		10,000.00
(4) STATE BOARD OF ADJUSTMENT:		
(a) For expenditures by the Board payable from General Fund for the General Fund Contribution to the total expenditure of \$200,000 pursuant to Title 55, Section 343		15,000.00
(b) For expenditures by the Board payable from General Fund under the provisions of Act 208 Special Session 1966 and Act 436 Regular Session 1967, estimated		100,000.00

REGULAR SESSION
5th Day

461

(5) COMMISSION ON AGING:

For transfer to the Commission on Aging	100,000.00
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(6) DEPARTMENT OF ARCHIVES
AND HISTORY:

For the salary of the Director	18,300.00	
For other salaries	157,700.00	
For other expenses	33,000.00	
For equipment purchases	4,000.00	
For expenses of printing of the Alabama Historical Quarterly ..	7,000.00	
Total		220,000.00

(7) ALABAMA COUNCIL ON THE
ARTS:

For transfer to the Council on the Arts	125,000.00
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(8) OFFICE OF THE ATTORNEY
GENERAL:

For the salary of the Attorney General	22,500.00	
For the salary of the Deputy Attorney General	21,500.00	
For the salary of the Executive Assistant, estimated	20,475.00	
For other salaries	720,525.00	
For other expenses	150,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	8,000.00	
For special investigation as provided by Act No. 1080, 1969 Regular Session	12,000.00	
Total		960,000.00

(9) OFFICE OF THE STATE AUDITOR:

For the salary of the State Auditor	20,000.00	
For other salaries	180,000.00	
For other expenses	39,000.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	4,000.00	
Total		245,000.00

(10) OFFICE OF THE STATE AUDITOR — PROPERTY INVENTORY:

For salaries	40,000.00	
For other expenses	9,150.00	
For equipment purchases	850.00	
Total		50,000.00
(11) STATE BANKING DEPARTMENT:		
For transfer to the State Banking Department:		
For the fiscal year ending September 30, 1974		130,000.00
For the fiscal year ending September 30, 1975		163,000.00
(12) BANKING DEPARTMENT — BUREAU OF LOANS:		
For transfer to the State Banking Department		260,000.00
(13) BOARD OF EXAMINERS OF BASIC SCIENCE:		
For salaries	4,180.00	
For other expenses	1,820.00	
Total		6,000.00
(14) BUILDING COMMISSION:		
For salaries, other expenses, equipment purchases and automotive equipment purchases		125,000.00
(15) CAHABA HISTORICAL COMMISSION:		
To provide for the expenditures authorized by Act No. 486, 1943 Acts, page 449 and an additional amount—Total		6,000.00
(16) DEPARTMENT OF CIVIL DEFENSE:		
For the salary of the Director	18,000.00	
For other salaries	104,000.00	
For other expenses	40,500.00	
For equipment purchases	1,000.00	
Total		163,500.00
(17) ALABAMA DEVELOPMENT OFFICE:		
For transfer to Alabama Development Office for operations		1,268,000.00

REGULAR SESSION
5th Day

463

For transfer to Alabama Development Office for operations conditional upon the condition of the treasury and approval of the Governor:

For the fiscal year ending September 30, 1974	982,421.00
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For the fiscal year ending September 30, 1975	1,060,800.00
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(18) STATE EMPLOYEES INSURANCE BOARD:

For the fiscal year ending September 30, 1974:

For salaries	30,425.00	
For other expenses	5,325.00	
For equipment purchases	250.00	
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Total		36,000.00

For the fiscal year ending September 30, 1975:

For salaries	31,257.00	
For other expenses	5,893.00	
For equipment purchases	350.00	
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Total		37,500.00

(19) FARMERS MARKET AUTHORITY:

For transfer to the Farmers Market Authority for the operation of the Farmers Market Authority

50,000.00

(20) DEPARTMENT OF FINANCE:

(a) Director's Office:

For the salary of the Director	19,800.00	
For the salary of the Assistant Director	18,800.00	
For other salaries	28,700.00	
For other expenses	8,500.00	
<hr/>		
Total		75,800.00

(b) Division of the Budget:

For the fiscal year ending September 30, 1974:

For other salaries	107,900.00	
For other expenses	9,600.00	
For equipment purchases	1,500.00	
<hr/>		
Total		119,000.00

JOURNAL OF THE HOUSE, 1973
5th Day

For the fiscal year ending September 30, 1975:		
For other salaries	107,900.00	
For other expenses	10,600.00	
For equipment purchases	1,500.00	
Total		120,000.00
(c) Division of Control and Ac- counts:		
For the fiscal year ending September 30, 1974:		
For other salaries	397,958.00	
For other expenses	190,937.00	
For equipment purchases	5,000.00	
Total		593,895.00
For the fiscal year ending September 30, 1975:		
For other salaries	415,838.00	
For other expenses	207,437.00	
For equipment purchases	5,000.00	
Total		628,275.00
(d) Legal Division:		
For salary of the Chief of the Division, Estimated	18,018.00	
For other salaries	17,732.00	
For other expenses	6,650.00	
For equipment purchases	2,800.00	
Total		45,200.00
(e) For Computer Consolidation and Copy Center Operations		10,000.00
(f) Division of Purchases and Stores:		
For the fiscal year ending September 30, 1974:		
For salaries	275,500.00	
For other expenses	30,000.00	
For equipment purchases	15,000.00	
Total		320,500.00
For the fiscal year ending September 30, 1975:		
For salaries	278,500.00	
For other expenses	30,000.00	
For equipment purchases	2,000.00	
Total		310,500.00

REGULAR SESSION
5th Day

465

(g) Division of Service:		
For salaries	680,000.00	
For other expenses	300,000.00	
For equipment purchases	10,000.00	
For rental of premises	12,000.00	
For automotive equipment purchases	10,000.00	
Total		1,012,000.00
(h) For equipment purchases in the State Offices for the Executive, Administrative and Judicial Departments ..		10,000.00
(i) For the implementation of the Governor's Cost Control Survey		85,000.00
(21) GORGAS MEMORIAL BOARD:		
To provide for the appropriation authorized by Act No. 417, 1943 Acts, page 383, and an additional amount—Total		9,500.00
(22) HALL OF FAME BOARD:		
For payment of expenses of the Board		750.00
(23) DEPARTMENT OF HEALTH:		
(a) For Air Pollution Commission:		
For salaries, other expenses, equipment purchases and automotive equipment purchases		240,000.00
(To be expended in accordance with Act No. 1135, 1969 Regular Session)		
(b) For study, care and treatment of cancer		175,000.00
(c) For County Health Work:		
For transfer to the County Health Work Account		500,000.00
(d) For Dental Program:		
For salaries, other expenses and county clinics		110,000.00
(e) For General Health:		
For salaries, other expenses and equipment purchases		1,450,000.00

(This appropriation includes the operations of the Branch Laboratories in Birmingham and Mobile.)

(f) For Health Facilities Construction:	
For salaries and other expenses	50,000.00
(g) For Hospital Care of the Indigent:	
For transfer to the Hospital Care of the Indigent Account	200,000.00
(h) Hospital Licensing:	
For transfer to the Hospital Licensing Account	25,000.00
(i) Medicaid:	
For transfer to Medicaid Account	25,000,000.00
(j) For Preventable Diseases:	
For the purchase of vaccines and drugs	50,000.00
(k) For Radiation Control:	
For salaries, other expenses, and equipment purchases ..	78,000.00
(l) For Tuberculosis Testing:	
For salaries, other expenses, equipment purchases, automotive equipment purchases, and for clinician and radiologist fees	154,300.00
(m) For Tuberculosis and Chronic Lung Disorders Treatment:	
For the care and treatment of patients with tuberculosis and chronic lung disorders in the several tuberculosis hospitals in the State in accordance with provisions of Title 22, Section 199, Code of Alabama 1940, as amended	3,097,531.00
(n) For Venereal Disease Control:	
For salaries and other expenses	100,000.00

REGULAR SESSION
5th Day

467

(o) Water Improvement Commission:		
For salaries, other expenses, equipment purchases, automotive equipment purchases and contracts for stream studies		275,000.00
(p) Emergency Medical Services:		
For transfer to the Emergency Medical Services Fund		40,000.00
(24) OFFICE OF HIGHWAY AND TRAFFIC SAFETY:		
For transfer to Office of Highway and Traffic Safety		75,000.00
(25) ALABAMA HISTORICAL COMMISSION:		
For transfer to Alabama Historical Commission for operations ..		100,000.00
(26) RICHMOND PEARSON HOBSON MEMORIAL BOARD:		
To provide the appropriation authorized by Act No. 536, 1943 Acts, page 510 and an additional amount—Total		9,500.00
(27) DEPARTMENT OF INDUSTRIAL RELATIONS:		
For salaries	315,000.00	
For other expenses	65,500.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	3,500.00	
Total		385,000.00
(28) DEPARTMENT OF INSURANCE:		
For salary of the Director	19,800.00	
For other salaries	375,000.00	
For other expenses	112,000.00	
For equipment purchases	1,000.00	
Total		507,800.00
(29) STATE LABOR DEPARTMENT:		
For salary of the Director	19,800.00	

JOURNAL OF THE HOUSE, 1973
5th Day

For other salaries	95,000.00	
For other expenses	26,200.00	
Total		141,000.00
(30) L A G R A N G E HISTORICAL COMMISSION:		
To provide the appropriation and for the expenditures authorized by Act No. 551, 1943 Acts, page 540		2,000.00
(31) LIVESTOCK COLISEUM:		
For transfer to the Livestock Coliseum Fund for the operation of the Livestock Coliseum		74,130.00
(32) PUBLIC LIBRARY SERVICE DIVISION:		
(a) For salaries	85,000.00	
For other expenses	27,000.00	
For books and periodicals ..	35,000.00	
For State aid to county units	160,000.00	
Total		307,000.00
(33) MILITARY DEPARTMENT:		
(a) For operation of the Department:		
For salary of the Adjutant General		
	19,800.00	
For other salaries	461,200.00	
For other expenses	110,000.00	
For equipment purchases	4,000.00	
For automotive equipment purchases	5,000.00	
Total		600,000.00
(b) For Quarterly Allowances		335,000.00
Provided that not more than \$5,000.00 may be allotted in any fiscal year for the Headquarters, Alabama National Guard, and not more than \$1,500.00 may be allotted in any fiscal year for the Division Headquarters.		
(c) For Active Military Service—Active National Guard		100,000.00
(d) For transfer to the Armory Commission—For care and maintenance of armories ..		750,000.00

REGULAR SESSION
5th Day

469

(34) UNIVERSITY OF ALABAMA—
MUSEUM FUND:

For operation and maintenance .. 68,000.00

(35) DEPARTMENT OF PENSIONS
AND SECURITY:

For transfer to the Department
of Pensions and Security for the
support, maintenance and oper-
ations of the functions of Pen-
sions and Security 13,000,000.00

(36) PERSONNEL DEPARTMENT:

For transfer to the Personnel De-
partment for the payment of
the State's General Fund share
of the cost of operating the De-
partment 104,000.00

(37) COMMISSION ON PHYSICAL
FITNESS:

For salaries	42,000.00	
For other expenses	13,200.00	
For equipment purchases	800.00	
Total		56,000.00

(38) COMMISSION TO PRESERVE
THE PEACE:

For salaries	26,000.00	
For other expenses	24,000.00	
Total		50,000.00

(39) BOARD OF EXAMINERS OF
PSYCHOLOGY:

For transfer to Board of Exami-
ners of Psychology for opera-
tion 1,600.00

(40) BUREAU OF PUBLICITY AND
INFORMATION:

(a) For the salary of the Director	18,000.00	
For other salaries	58,000.00	
For other expenses	63,000.00	
For equipment purchases	1,000.00	
For Ava Marie Grotto	2,500.00	
For Mobile Junior Miss Pa- geant	25,000.00	
For Guntersville Boat Races	9,500.00	
For Blue and Gray Football Game	10,000.00	

JOURNAL OF THE HOUSE, 1973
5th Day

For Lake Eufaula Festival	10,000.00	
For Mobile Carnival Association	3,000.00	
For Spirit of America Festival, Inc.	5,000.00	
Total		205,000.00

(b) WELCOME CENTERS:

Salaries, other expenses, equipment purchases and Bureau's share in constructing and equipping Welcome Centers	200,000.00
--	------------

(41) DEPARTMENT OF PUBLIC SAFETY:

For the salary of the Director	19,800.00	
For other salaries	9,428,200.00	
For other expenses	2,000,000.00	
For Workman's Compensation Insurance, estimated	102,000.00	
For equipment purchases	150,000.00	
For automotive equipment purchases	800,000.00	
Total		12,500,000.00

(42) DEPARTMENT OF REVENUE:

- (a) For transfer to the Department of Revenue for the General Fund share of the cost of operating the Department.
- | | |
|---|------------|
| For the fiscal year ending September 30, 1974 | 948,509.00 |
| For the fiscal year ending September 30, 1975 | 970,929.00 |
- (b) Boards of Equalization:
- | | |
|--|------------|
| For salaries of the members and employees of the county boards of equalization | 143,750.00 |
| For other expenses | 4,000.00 |
| Total | 147,750.00 |
- (c) Equalization Fund
- (This is the appropriation set out under Act No. 160, 3rd Special Session of the 1971 Alabama Legislature.)
- 250,000.00

REGULAR SESSION
5th Day

471

(43) OFFICE OF SECRETARY OF
STATE:

(a) For the salary of the Secretary of State	20,000.00	
For other salaries	62,000.00	
For other expenses	12,400.00	
For equipment purchases	600.00	
Total		95,000.00

(b) Uniform Commercial Code:

For the fiscal year ending
September 30, 1974:

For other salaries	51,000.00	
For other expenses	10,460.00	
For equipment purchases	1,540.00	
Total		63,000.00

For the fiscal year ending
September 30, 1975:

For other salaries	53,800.00	
For other expenses	11,700.00	
For equipment purchases	1,500.00	
Total		67,000.00

(44) SECURITIES COMMISSION:

For the fiscal year ending Sep-
tember 30, 1974:

For salaries	90,450.00	
For other expenses	13,000.00	
For equipment purchases	2,800.00	
For automotive equipment pur- chases	3,750.00	
Total		110,000.00

For the fiscal year ending Sep-
tember 30, 1975:

For salaries	93,450.00	
For other expenses	15,050.00	
For equipment purchases	4,100.00	
Total		112,600.00

(45) SOCIAL SECURITY ADMINI-
STRATION:

For salaries	104,000.00	
For other expenses	20,000.00	
For equipment purchases	2,000.00	
Total		126,000.00

(46) STATE SOVEREIGNTY COM-
MISSION:

To carry out the provisions of Act
No. 514 of the 1963 Regular
Session:

For the fiscal year ending Sep- tember 30, 1974	68,500.00
For the fiscal year ending Sep- tember 30, 1975	72,000.00

(47) SPORTS HALL OF FAME
BOARD:

To carry out provisions of Act
No. 225, 1967 Regular Session

25,000.00

(48) STATE TOXICOLOGIST:

For the salary of the State Toxi- cologist	19,800.00
For other salaries	326,700.00
For other expenses	50,000.00
For equipment purchases	10,000.00
For automotive equipment pur- chases	3,500.00

Total 410,000.00

(49) OFFICE OF THE STATE
TREASURER:

For the fiscal year ending Sep-
tember 30, 1974:

For the salary of the State Treas- urer	20,000.00
For other salaries	258,000.00
For other expenses	68,000.00
For equipment purchases	10,000.00
For Vault Equipment Purchases ..	3,000.00

Total 359,000.00

For the fiscal year ending Sep-
tember 30, 1975:

For the salary of the State Treas- urer	20,000.00
For other salaries	266,000.00
For other expenses	72,700.00
For equipment purchases	10,000.00
For automotive equipment pur- chases	3,800.00
For Vault Equipment Purchases ..	2,500.00

Total 375,000.00

REGULAR SESSION
5th Day

473

**(50) UNIVERSITY OF ALABAMA—
UNIVERSITY HOSPITAL &
CLINICS:**

For operation and maintenance 2,000,000.00

**(51) DEPARTMENT OF VETER-
ANS' AFFAIRS:**

For the salary of the Service Com-
missioner 17,500.00

For other salaries 943,300.00

For other expenses 60,000.00

For equipment purchases 2,000.00

For automotive equipment pur-
chases 3,500.00

For contract with Veterans of
Foreign Wars Organization 22,150.00

For contract with Disabled Ameri-
can Veterans Organization 5,550.00

Total 1,054,000.00

**(52) FIRST WHITE HOUSE OF THE
CONFEDERACY:**

For salaries and other expenses 10,000.00

**B. DEVELOPMENT AND CONSERVA-
TION OF NATURAL RESOURCES:**

**(1) DEPARTMENT OF AGRICUL-
TURE AND INDUSTRIES:**

(a) For transfer to the Agricul-
tural Fund for salaries, other
expenses and equipment pur-
chases for the Department of
Agriculture and Industries 2,200,000.00

(b) For transfer to the Depart-
ment of Agriculture and Indus-
tries to be expended by the
Meat and Poultry Inspection
Division for salaries, other ex-
penses, equipment purchases
and automotive equipment pur-
chases 420,000.00

**(2) AGRICULTURE CENTER
BOARD:**

(a) For transfer to the Agricul-
ture Center Board for sal-
aries and other expenses 40,000.00

(b) For expenses and awarding of
prizes as provided by Act
No. 1122, 1969 Regular
Session 90,000.00

JOURNAL OF THE HOUSE, 1973
5th Day

(3) DEPARTMENT OF CONSERVATION:

- | | |
|--|--------------|
| (a) For transfer to Department of Conservation—State Land Funds—For salaries, other expenses and equipment purchases for the State Lands Division | 50,000.00 |
| (b) For transfer to Department of Conservation—State Parks Fund—For salaries, other expenses and equipment purchases for the Division of State Parks | 1,200,000.00 |

(4) ALABAMA FORESTRY COMMISSION:

- | | |
|--|--------------|
| For transfer to the Alabama Forestry Commission—For salaries, other expenses, equipment purchases and automotive equipment purchases | 1,500,000.00 |
|--|--------------|

(5) FORT MORGAN HISTORICAL COMMISSION:

- | | | |
|-------------------------------|-----------|-----------|
| For salaries | 36,300.00 | |
| For other expenses | 20,000.00 | |
| For equipment purchases | 3,700.00 | |
| Total | | 60,000.00 |

(6) GEOLOGICAL SURVEY:

- | | | |
|--|------------|------------|
| For the salary of the State Geologist | 23,000.00 | |
| For other salaries | 320,000.00 | |
| For other expenses | 110,000.00 | |
| For equipment purchases | 8,000.00 | |
| For automotive equipment purchases | 9,000.00 | |
| For matching funds for investigation of water, mineral and energy resources of the State | 180,000.00 | |
| For test drilling | 25,000.00 | |
| For Topographic Mapping | 25,000.00 | |
| Total | | 700,000.00 |

(7) OIL AND GAS BOARD:

- | | |
|-------------------------------|------------|
| For salaries | 347,000.00 |
| For other expenses | 86,000.00 |
| For equipment purchases | 2,000.00 |

REGULAR SESSION
5th Day

475

For salaries, other expenses and
equipment purchases to be al-
lotted upon opening of New Oil
and Gas Fields ----- 40,000.00

Total ----- 475,000.00

**(8) STATE SOIL CONSERVATION
COMMITTEE:**

For salaries ----- 37,000.00
For other expenses ----- 58,000.00
For Watershed Planning Party ----- 75,000.00

Total ----- 170,000.00

**(9) WATERSHED CONSERVANCY
DISTRICTS:**

(1) Bear Creek Watershed Asso- ciation -----	31,250.00
(2) Choccolocco Watershed -----	4,000.00
(3) Crooked Creek Watershed -----	2,500.00
(4) DeKalb County — Big Wills Watershed -----	7,000.00
(5) Etowah County — Big Wills Watershed -----	7,000.00
(6) Ketchepedrakee Watershed -----	2,500.00
(7) Line Creek Watershed -----	2,000.00
(8) Tallassee hatchee Watershed -----	2,500.00
(9) Terrapin Creek Watershed -----	10,000.00

**C. HOSPITAL AND CORRECTIONAL
FUNCTIONS:**

**(1) ARREST OF ABSCONDING
FELONS:**

For expenses incident to the ar-
rest of absconding felons, esti-
mated ----- 2,000.00

(2) BOARD OF CORRECTIONS:

For transfer to Board of Correc-
tions ----- 8,750,000.00

(3) FEEDING OF PRISONERS:

For expenses of feeding prisoners
in county jails, estimated ----- 1,200,000.00

**(4) JUVENILE PROBATION OFFI-
CERS:**

Estimated ----- 200,000.00
(To carry out the provisions of
Act No. 880, 1965 Reg. Sess.)

(5) MENTAL HEALTH:

For transfer to Special Mental
Health Fund ----- 17,250,000.00

(6) BOARD OF PARDONS AND
PAROLES:

For salaries of Board Members	55,500.00	
For other salaries	1,292,000.00	
For other expenses	146,500.00	
For equipment purchases	2,500.00	
For automotive equipment purchases	8,000.00	
Total		1,504,500.00

(7) REMOVAL OF PRISONERS:

For expenses incident to removal of prisoners, estimated	65,000.00
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D. DEBT SERVICE:

(1) For the payment of principal and
interest due on bonds issued by
Alabama State Hospitals and
Partlow State School Bond
Commission pursuant to Con-
stitutional Amendment No.
CXVIII:

For the fiscal year ending Sep- tember 30, 1974	278,925.00
For the fiscal year ending Sep- tember 30, 1975	283,600.00

(2) For the payment of principal and
interest on bonds issued for hos-
pital construction pursuant to
Constitutional Amendment No.
CXXI and Constitutional
Amendment No. CLVIII:

For the fiscal year ending Sep- tember 30, 1974	111,540.00
--	------------

(3) For interest on Spanish American
War Veterans Fund, estimated

294.86

(4) For the payment of principal and
interest due on bonds issued by
State Docks — Inland Water-
ways, pursuant to Constitution-
al Amendment No. CXVI, Esti-
mated:

For the fiscal year ending Sep- tember 30, 1974	2,297,005.00
For the fiscal year ending Sep- tember 30, 1975	2,300,215.00

(5) For the payment of principal and
interest on bonds issued by the
State Parks Development Au-

REGULAR SESSION
5th Day

477

thority pursuant to Constitutional Amendment as provided in Act No. 272, 1967 Regular Session, Estimated:

For the fiscal year ending September 30, 1974	778,550.00
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For the fiscal year ending September 30, 1975	794,900.00
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- (6) For the payment of principal and interest due on bonds issued for the Space Exhibit Commission pursuant to Constitutional Amendment No. CCXXIV:

For the fiscal year ending September 30, 1974	226,555.00
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For the fiscal year ending September 30, 1975	229,790.00
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E. MISCELLANEOUS:

- | | |
|--|----------|
| (1) Alabama Academy of Honor
(Pursuant to provisions of Act No. 15, Third Special Session 1965) | 1,500.00 |
|--|----------|

- | | |
|---|-----------|
| (2) For advertising lands for tax sale, estimated | 14,000.00 |
|---|-----------|

- | | |
|--|-----------|
| (3) Alabama Agricultural and Industrial Exhibit Commission | 42,500.00 |
|--|-----------|

- | | |
|--|------------|
| (4) Appalachain Regional Development Program | 150,000.00 |
|--|------------|

- | | |
|--------------------------------------|----------|
| (5) Armed Forces Day Committee | 1,500.00 |
|--------------------------------------|----------|

- | | |
|---|-----------|
| (6) For payment of Attorneys fees in indigent capital cases (as provided in Act No. 176, 1947 Acts, page 61), estimated | 37,500.00 |
|---|-----------|

- | | |
|---|----------|
| (7) Automatic Appeal Expense as provided in 1943 Acts of Legislature, page 217, estimated | 3,000.00 |
|---|----------|

- | | |
|--|--------|
| (8) For Civil Court Cost in connection with Ad Valorem tax assessment appeals, estimated | 100.00 |
|--|--------|

- (9) Alabama Constitutional Commission:

For salaries	20,000.00	
For other expenses	30,000.00	

Total	50,000.00	
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- | | |
|--|-----------|
| (10) Coosa-Alabama Development Authority | 12,500.00 |
|--|-----------|

- | | |
|---|-----------|
| (11) Council of State Governments | 30,790.00 |
|---|-----------|

5th Day

(12) For Court Costs to be paid by the State of Alabama, pursuant to Act No. 558, 1957 Acts, page 777, estimated	250,000.00
(13) For Court Costs to be paid by the State of Alabama not otherwise provided for, estimated	65,000.00
(14) Departmental Emergency Fund This is the appropriation contemplated in Section 105, Title 55 of the Code of Alabama 1940 and shall be the only amount appropriated and the total amount expended under the provisions of said section.	350,000.00
(15) For distribution of public documents, estimated	30,000.00
(16) Election expenses, estimated	467,500.00
(17) Elk River Development Association	5,000.00
(18) State Employees Insurance: To pay the State's share of the State Employees Insurance Program, estimated	375,000.00
(19) Employees' Retirement Fund State's part, estimated	2,000,000.00
(20) Fair Trial Tax, Transfer	100,000.00
(To be expended in accordance with Act No. 525 and Act No. 526, 1963 Regular Session.)	
(21) Governor's Commission on Drug Abuse	5,000.00
(22) For expenses of Governor's Proclamation, estimated	100,000.00
(23) National Governor's Conference ..	8,500.00
(24) Governor's Retirement, estimated ..	9,000.00
(25) Governor's Wives Retirement, Estimated	14,400.00
(26) For Helen Keller Home: For operation and maintenance ..	2,500.00
(27) Interpreter's Account, estimated ..	100.00
(To carry out provisions of Act No. 799, 1965 Reg. Sess.)	
(28) Southern Interstate Nuclear Board	9,000.00
(29) Law Enforcement Legal Defense, Estimated	10,000.00
(To carry out provisions of Act No. 259, Regular Session 1967)	
(30) For Mailing Tax Notices, estimated	7,500.00

REGULAR SESSION

479

5th Day

(31) For Matching Federal Funds not otherwise provided for	100,000.00
(32) For Alabama Mountain Lakes Association	5,000.00
(33) Presidential Electoral Expense, estimated	100.00
(34) Purchase Code Pocket Supplement,	
For the fiscal year ending September 30, 1974, estimated	100,000.00
(35) For printing of State and County Privilege Licenses, estimated	8,000.00
(36) Southern Regional Educational Board	8,000.00
(37) Top of Alabama Regional Council on Governments	25,000.00
(38) For Registration of Voters, Estimated	150,000.00
(39) For State's share of Social Security, estimated	700,000.00
(40) For Spanish War Veterans and Widows Encampment	1,000.00
(41) For Tallapoosa Highland Lake Association	5,000.00
(42) Telephone Revolving Fund:	
For the fiscal year ending September 30, 1975, estimated	1,600,000.00
(43) Tennessee River Development Association	5,000.00
(44) Tennessee - Tombigbee Waterway Development Authority	120,000.00
(To carry out the provisions of Act No. 355, 1957 Reg. Sess., approved August 23, 1957).	
(45) State Treasurer - Previous Year unpaid warrants, estimated	25,000.00
(46) Commission on Uniform State Laws	4,000.00
Total amount appropriated by Act No. 926, Acts 1951, page 1575, for expenses, operation and contributions of Commission.	
(47) National Veterans Day Committee, Birmingham, Alabama	3,000.00
(48) Veterans Day Committee	1,500.00
(49) Alabama Wing of Civil Air Patrol	25,000.00
(50) Circuit Court of Escambia County (For cases originating at Holman Prison)	10,000.00

(51) Department of Court Management	75,000.00
(52) Historic Chattahoochee Commission	50,000.00
(53) Judicial Commission	24,700.00
(54) Law Institute	75,000.00
(55) Alabama Steer Association	10,000.00
(56) Alabama Law Enforcement Planning Agency	450,000.00
(This appropriation is conditional upon the condition of the State General Fund and with the approval of the Governor).	
(57) Tannehill Furnace and Foundry Commission	10,000.00
(58) Mountain Lakes Association	6,000.00

F. FROM FUNDS OTHER THAN GENERAL FUND:

(1) ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY:

For salaries, other expenses and equipment purchases:

For the fiscal year ending September 30, 1974	49,300.00
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For the fiscal year ending September 30, 1975	55,250.00
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In addition to the amount appropriated hereinabove to the Alabama State Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any applications for license which may have been rejected by the Board or withdrawn by request of applicant.

The above appropriations are payable out of funds in the State Treasury to the credit of the Alabama State Board of Public Accountancy Fund.

(2) AERONAUTICS DEPARTMENT:

(a) For the fiscal year ending September 30, 1974:

For the salary of the Director, Estimated	16,200.00
For other salaries	56,422.50

REGULAR SESSION
5th Day

481

For other expenses	31,629.00	
For equipment purchases	1,000.00	
Total		105,251.50

For the fiscal year ending
September 30, 1975:

For the salary of the Director, Estimated	16,200.00	
For other salaries	58,801.50	
For other expenses	33,629.00	
For equipment purchases	1,000.00	
Total		109,630.50

- (b) For State Aid to Airports—
For Airports and Airmarkings 350,000.00

The above appropriation to Aeronautics Department shall be paid from the State Airports Development Fund as provided by Act No. 402, Acts 1945, page 620, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(3) COMMISSION ON AGING:

For salaries, other expenses, equipment purchases, automotive equipment purchases and contracts		100,000.00
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The above appropriation is payable from the funds transferred to this account in Item III A (5) of this Act. In addition to the above appropriation, any funds received from this work from the several counties, cities or the Federal Government are hereby appropriated.

(4) AGRICULTURE AND INDUSTRIES:

- (a) For the fiscal year ending
September 30, 1974:

For the salary of the Commissioner	20,000.00	
For other salaries	2,200,000.00	
For other expenses	900,000.00	
For equipment purchases	64,000.00	
For automotive equipment purchases	125,000.00	

JOURNAL OF THE HOUSE, 1973
5th Day

For transfer to State Personnel Department	9,000.00	
For transfer to Shipping Point Inspection	13,500.00	
For transfer to Agriculture Center Board	57,150.00	
For awarding prizes and premiums	20,000.00	
For swine indemnities, to be expended in accordance with Act No. 573, 1969 Regular Session	50,000.00	
Total		3,458,650.00

For the fiscal year ending
September 30, 1975:

For the salary of the Commissioner	20,000.00	
For other salaries	2,400,000.00	
For other expenses	900,000.00	
For equipment purchases	73,000.00	
For automotive equipment purchases	150,000.00	
For transfer to State Personnel Department	9,000.00	
For transfer to Shipping Point Inspection	13,500.00	
For transfer to Agriculture Center Board	55,800.00	
For awarding prizes and premiums	20,000.00	
For swine indemnities, to be expended in accordance with Act No. 573, 1969 Regular Session	50,000.00	
Total		3,691,300.00

The above appropriations are payable from funds in the Agricultural Fund and shall include the appropriations made to said fund in III B (1) (a).

The above appropriations for other salaries, other expenses, equipment purchases and automotive equipment purchases shall be used for the operation and maintenance of the Department of Agriculture and Industries and for Bangs Disease Control,

REGULAR SESSION
5th Day

483

Disease of Swine, Swine Diagnostic Laboratory, Fire Ant Control, Pesticide Laboratory, Poultry Disease Control, White Fringed and Japanese Beetle Control, for inspection, grading and classification of fruits and vegetables, and any other services connected with the operations of Agriculture and Industries in the State of Alabama.

Any surplus remaining in the Agricultural Fund at the end of a fiscal year in excess of \$100,000.00 shall be transferred to the State General Fund.

(b) Egg Inspection Division:

For the fiscal year ending September 30, 1974:

For salaries	61,451.00	
For other expenses	16,000.00	
For automotive equipment purchases	7,000.00	
Total		84,451.00

For the fiscal year ending September 30, 1975:

For salaries	61,451.00	
For other expenses	16,000.00	
For automotive equipment purchases	3,700.00	
Total		81,151.00

The above appropriations are payable from funds in the Egg Inspection Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(c) Meat and Poultry Inspection Division:

For salaries, other expenses, equipment purchases and automotive equipment purchases	420,000.00
--	------------

The above appropriations are payable from the funds

JOURNAL OF THE HOUSE, 1973
5th Day

transferred to this account in Item III (B) (1) (b) of this Act. In addition to the above appropriation, any funds received for this work from the federal Government are hereby appropriated.

(d) 1. Agriculture Center Board:

For the fiscal year ending
September 30, 1974:

For salaries	33,100.00	
For other expenses	8,700.00	
For rental (Livestock Coliseum, Montgomery)	57,150.00	
Total		98,950.00

For the fiscal year ending
September 30, 1975:

For salaries	33,100.00	
For other expenses	9,100.00	
For rental (Livestock Coliseum, Montgomery)	55,800.00	
Total		98,000.00

The above appropriation to the Agriculture Center Board shall be paid out of the Agricultural Center Board Fund and includes the appropriation made to said fund as provided in III B (2) (a) and III F (4) (a).

2. Livestock Coliseum:

For the fiscal year ending
September 30, 1974:

For salaries	87,500.00	
For other expenses	98,000.00	
For equipment purchases ..	24,000.00	
For repairs to Coliseum	29,150.00	
Total		238,650.00

For the fiscal year ending
September 30, 1975:

For salaries	87,500.00
For other expenses	103,200.00
For equipment purchases ..	4,800.00
For repairs to Coliseum	3,000.00

REGULAR SESSION
5th Day

485

For automotive equipment purchases	4,000.00	
Total		202,500.00

The funds hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund, and the appropriation hereinabove includes the appropriation made to said Fund as provided in III A (31).

(e) Shipping Point Inspection Fund:

There is hereby appropriated, out of receipts to the Shipping Point Inspection Fund (Act No. 26, Legislature of 1956, approved March 23, 1956). For Shipping Point Inspection work performed by the Department of Agriculture and Industries for the payment of salaries, other expenses, equipment purchases and automotive equipment purchases all fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection, grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities, and shall include the appropriation made in Item III F (4) (a) of this Act (provided that automotive equipment purchases shall not exceed the sum of \$3,500.00 for each of the fiscal years ending September 30, 1974, and September 30, 1975).

JOURNAL OF THE HOUSE, 1973
5th Day

(5) ALCOHOLIC BEVERAGE CON-
TROL BOARD:

(a) Administrative and Stores Di-
vision:

For the fiscal year ending Sep-
tember 30, 1974:

For the salary of the Admin- istrator	19,800.00	
For other salaries	8,810,764.00	
For other expenses (Transpor- tation cost for merchandise excluded)	2,217,240.00	
For equipment purchases	192,000.00	
For automotive equipment purchases	7,000.00	
Awards for Convictions, esti- mated	1,000.00	
For transfer to State Person- nel Department	29,521.00	
For transfer to Mental Health Department	300,000.00	
For transfer to Education De- partment for Temperance Education	58,867.00	
For transportation cost on merchandise, estimated	345,000.00	
Total		11,981,192.00

For the fiscal year ending Sep-
tember 30, 1975:

For the salary of the Adminis- trator	19,800.00	
For other salaries	9,283,251.00	
For other expenses (Transpor- tation cost for merchandise excluded)	2,661,114.00	
For equipment purchases	192,000.00	
For automotive equipment purchases	7,000.00	
Awards for Convictions, esti- mated	1,000.00	
For transfer to State Person- nel Department	29,521.00	
For transfer to Mental Health Department	300,000.00	
For transfer to Education De- partment for Temperance Education	58,867.00	
For transportation cost on merchandise, estimated	355,000.00	
Total, estimated		12,907,553.00

REGULAR SESSION
5th Day

487

In addition to the above appropriations herein made there is hereby appropriated for each additional retail store put into operation during each fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

(b) Law Enforcement Division:

For the fiscal year ending September 30, 1974:

For salaries	1,227,168.00	
For other expenses	279,850.00	
For equipment purchases	15,000.00	
For automotive equipment purchases	120,000.00	
Total		1,642,018.00

For the fiscal year ending September 30, 1975:

For salaries	1,272,304.00	
For other expenses	309,650.00	
For equipment purchases	10,000.00	
For automotive equipment purchases	120,000.00	
Total		1,711,954.00

The appropriations hereinabove made (a) and (b) to the Alcoholic Beverage Control Board are made from the

gross proceeds derived from
the sale of alcoholic beverages
by the Alcoholic Beverage
Control Board.

(c) Beer Tax and Licenses Division:

For the fiscal year ending September 30, 1974:

For salaries	532,158.00	
For other expenses	185,300.00	
For equipment purchases	2,000.00	
Total		719,458.00

For the fiscal year ending September 30, 1975:

For salaries	568,194.00	
For other expenses	207,000.00	
For equipment purchases	2,000.00	
Total		777,194.00

In addition to the above appropriation it is further provided that, in the event any county or municipality of the State shall, during either of the fiscal periods covered by this appropriation by proper referendum authorize the legal sale of malt and brewed beverages within such county or municipality, there is further appropriated, in addition to the amounts herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further, that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during either of the fiscal periods covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.

REGULAR SESSION
5th Day

489

(6) STATE BOARD OF REGISTRATION FOR ARCHITECTS:

For the fiscal year ending September 30, 1974:

For salaries	7,280.00	
For other expenses	19,650.00	
For equipment purchases	500.00	
Total		27,430.00

For the fiscal year ending September 30, 1975:

For salaries	7,280.00	
For other expenses	20,900.00	
For equipment purchases	500.00	
Total		28,680.00

The above appropriation is payable out of funds in the State Treasury to the credit of the State Board of Registration for Architects pursuant to Title 46, Chapter 2, Code of Alabama 1940, as amended.

(7) ARMORY COMMISSION:

For the fiscal year ending September 30, 1974:

For salaries	500,000.00	
For other Expenses	400,000.00	
For equipment purchases	25,371.00	
For automotive equipment purchases	13,100.00	
Total		938,471.00

For the fiscal year ending September 30, 1973:

For salaries	525,000.00	
For other expenses	420,000.00	
For equipment purchases	25,371.00	
For automotive equipment purchases	13,100.00	
Total		983,471.00

The funds hereinabove appropriated to the Armory Commission shall be paid out of the funds in the State Treasury to the credit of the Armory Commission and the appropriation hereinabove made includes the appropriation made for the care and maintenance of ar-

JOURNAL OF THE HOUSE, 1973
5th Day

mories as provided in Item III A (33) (d) in this Act. Provided, however, that the last Federal Government service contract reimbursement for either of the fiscal years shall not revert to the State General Fund.

(8) ALABAMA COUNCIL ON THE
ARTS AND HUMANITIES:

For salaries, other expenses, and equipment purchases	125,000.00
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The funds hereinabove appropriated to the Alabama Council on the Arts shall be paid out of the Council on the Arts Fund and the appropriation hereinabove made includes the appropriation made in Section III, A (7).

(9) DEPARTMENT OF BANKING:

(a) Bureau of Banking:

For salaries, other expenses, equipment purchases and automotive equipment purchases, estimated	472,786.00
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The above appropriation shall be paid from the Banking Assessment Fees as provided in Act No. 373, 1965 Regular Session and shall also include the appropriation made in Item III A (11) of this Act.

(b) Bureau of Credit Unions:

For salaries	76,895.00	
For other expenses	26,250.00	
For equipment purchases	1,000.00	
Total		104,145.00

The above appropriation shall be paid from the Banking Department—Bureau of Credit Unions as provided in Act No. 2293, Regular Session 1971.

(10) DEPARTMENT OF BANKING-
LOAN EXAMINATION
FUND:

For the fiscal year ending September 30, 1974:

REGULAR SESSION
5th Day

491

For salaries	213,824.00	
For other expenses	77,504.00	
For equipment purchases	4,000.00	
Total		295,328.00

For the fiscal year ending September 30, 1975:

For salaries	225,628.00	
For other expenses	77,504.00	
For equipment purchases	3,000.00	
Total		306,132.00

The above appropriation shall be paid out of the Loan Examination Fund as provided in Act No. 374, 1959 Regular Session, approved November 6, 1959 and shall also include the appropriation in Section III A (12) of this Act.

(11) ALABAMA STATE BAR ASSOCIATION:

For the fiscal year ending September 30, 1974:

For salaries	81,207.98	
For other expenses	130,000.00	
For equipment purchases	1,000.00	
Total		212,207.98

For the fiscal year ending September 30, 1975:

For salaries	87,245.45	
For other expenses	133,500.00	
For equipment purchases	1,000.00	
Total		221,745.45

The above appropriation is payable out of the funds in the State Treasury to the credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

(12) STATE BOARD OF CHIROPRACTIC EXAMINERS:

For salaries	2,700.00	
For other expenses	7,200.00	
Total		9,900.00

JOURNAL OF THE HOUSE, 1973
5th Day

The above appropriation shall be paid out of the State Board of Chiropractic Examiners Fund as provided in Act No. 108, 1959 Regular Session.

(13) CONSERVATION
DEPARTMENT:

(a) Administrative Division:

For the fiscal year ending
September 30, 1974:

For salary of the Director ..	19,800.00
For other salaries	418,512.10
For other expenses	270,000.00
For equipment purchases ..	6,000.00
For automotive equipment purchases	4,500.00
For transfer to Personnel De- partment	12,500.00

Total	731,312.10
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For the fiscal year ending
September 30, 1975:

For salary of the Director ..	19,800.00
For other salaries	424,840.60
For other expenses	270,000.00
For equipment purchases ..	6,000.00
For automotive equipment purchases	4,500.00
For transfer to Personnel De- partment	12,500.00

Total	737,640.60
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The above appropriations shall be paid out of the Department of Conservation—Administrative Fund and includes the appropriations made to this Division as provided in this section.

(b) Game and Fish Division:

For the fiscal year ending
September 30, 1974:

For salaries	2,476,904.58
For other expenses	1,071,750.49
For equipment purchases ..	161,157.55
For automotive equipment purchases	227,322.25

REGULAR SESSION
5th Day

493

For transfer to Conservation Department — Administra- tive Account	235,000.00	
Total		4,172,134.87
For the fiscal year ending September 30, 1975:		
For salaries	2,549,923.84	
For other expenses	1,066,637.16	
For equipment purchases	115,372.55	
For automotive equipment purchases	224,142.25	
For transfer to Conservation Department — Administra- tive Account	235,000.00	
Total		4,191,075.80

The funds hereinabove ap-
propriated to the Game and
Fish Division shall be paid
out of the Game and Fish
fund.

(c) State Lands Division:

For the fiscal year ending September 30, 1974:		
For salaries	78,000.00	
For other expenses	30,000.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	8,000.00	
For transfer to Conservation Department — Administra- tive Account	7,000.00	
Total		125,000.00
For the fiscal year ending September 30, 1975:		
For salaries	80,000.00	
For other expenses	30,000.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	8,000.00	
For transfer to Conservation Department — Administra- tive Account	7,000.00	
Total		127,000.00

The funds hereinabove appro-
priated to the State Lands
Division shall be paid out of
the State Lands Division

JOURNAL OF THE HOUSE, 1973
5th Day

Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III B (3) (a) of this Act.

(d) State Parks Division:

For salaries, other expenses, equipment purchases, automotive equipment purchases, and for transfer to Conservation — Administrative Account

2,500,000.00

The funds hereinabove appropriated to the State Parks Division shall be paid out of the State Parks Fund, and shall include funds previously received from the one-cent cigarette tax as provided in Act No. 309, 1967 Regular Session. The funds hereinabove appropriated shall also include the appropriations made in Item III B (b) in this Act.

(e) Marine Resources Division:

For the fiscal year ending
September 30, 1974:

For salaries	342,934.00
For other expenses	110,700.00
For equipment purchases . . .	10,500.00
For automotive equipment purchases	15,000.00
For transfer to Conservation Department — Administrative Account	54,198.00
For Gulf State Marine Fisheries Commission	5,000.00

Total

538,332.00

For the fiscal year ending
September 30, 1975:

For salaries	359,261.00
For other expenses	120,300.00
For equipment purchases	11,080.00
For automotive equipment purchases	15,000.00
For transfer to Conservation Department — Administrative Account	54,198.00

REGULAR SESSION
5th Day

495

For entertainment of the Gulf State Fisheries Convention	1,500.00	
For Gulf State Marine Fish- eries Commission	5,000.00	
Total		566,339.00

In addition to the monies hereinabove appropriated, all monies derived from contracts, grants, or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated to the Division of Marine Resources and may be expended by the Director of Conservation on such Marine Resources Division Programs or projects which he deems appropriate.

The funds hereinabove appropriated to the Marine Resources Division shall be paid out of the Marine Resources Fund.

(f) Marine Police Division:

For the fiscal year ending September 30, 1974:		
For salaries	590,453.00	
For other expenses	252,010.00	
For equipment purchases ...	129,715.00	
For automotive equipment purchases	78,000.00	
For transfer to Conservation Department — Administra- tive Account	70,000.00	
Total		1,120,178.00
For the fiscal year ending September 30, 1975:		
For salaries	619,333.00	
For other expenses	259,950.00	
For equipment purchases ...	143,730.00	
For automotive equipment purchases	70,000.00	
For transfer to Conservation Department — Administra- tive Account	70,000.00	
Total		1,163,013.00

JOURNAL OF THE HOUSE, 1973
5th Day

The funds hereinabove appropriated to the Marine Police Division shall be paid out of the Division of Marine Police Fund.

(14) STATE LICENSING BOARD
FOR GENERAL
CONTRACTORS:

For the fiscal year ending September 30, 1974:

For salaries	57,341.50	
For other expenses	23,945.71	
For equipment purchases	7,000.00	
Total		88,287.21

For the fiscal year ending September 30, 1975:

For salaries	57,796.50	
For other expenses	23,945.71	
For equipment purchases	7,000.00	
Total		88,742.21

In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors, there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Licensing Board for General Contractors pursuant to Title 46, Chapter 4, Code of Alabama 1940.

(15) BOARD OF CORRECTIONS:

For the fiscal year ending September 30, 1974:

For the salary of the Commissioner	19,800.00	
For other salaries	5,194,400.00	
For other expenses	4,500,000.00	
For equipment purchases	100,000.00	
For automotive equipment purchases	100,000.00	

REGULAR SESSION
5th Day

497

For Debt Service, estimated	55,000.00	
For transfer to the State Personnel Department	15,800.00	
Total		9,985,000.00

For the fiscal year ending September 30, 1975:

For the salary of the Commissioner	19,800.00	
For other salaries	5,525,700.00	
For other expenses	4,250,000.00	
For equipment purchases	100,000.00	
For automotive equipment purchases	100,000.00	
For Debt Service, estimated	53,000.00	
For transfer to the State Personnel Department	16,500.00	
Total		10,065,000.00

The funds hereinabove appropriated to the Board of Corrections shall be paid out of the Board of Corrections Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III C (2).

**(16) ALABAMA BOARD OF
COSMETOLOGY:**

For the fiscal year ending September 30, 1974:

For salaries	78,250.50	
For other expenses	75,000.00	
Total		153,250.50

For the fiscal year ending September 30, 1975:

For salaries	78,250.50	
For other expenses	75,000.00	
For equipment purchases	7,000.00	
Total		160,250.50

The above appropriations shall be payable from the funds in the State Treasury to the credit of the Alabama Board of Cosmetology pursuant to provisions of Act No. 653, 1957 Regular Session.

JOURNAL OF THE HOUSE, 1973
5th Day

(17) DAIRY COMMISSION:

For the fiscal year ending September 30, 1974:

For salaries	148,373.00
For other expenses	78,350.00
For automotive equipment purchases	4,000.00
For equipment purchases	3,000.00

Total	233,723.00
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For the fiscal year ending September 30, 1975:

For salaries	152,017.00
For other expenses	79,250.00
For automotive equipment purchases	4,000.00
For equipment purchases	3,000.00

Total	238,267.00
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The above appropriations shall be paid out of the Dairy Commission Fund as is provided in Title 22, Chapter 7, Code of Alabama 1940.

(18) ALABAMA STATE DOCKS BOARD:

For transfer to the State Personnel Department,

For the fiscal year ending September 30, 1974	2,900.00
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For the fiscal year ending September 30, 1975	2,921.00
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The above appropriations shall be paid from income, receipts and revenues derived from the operations of the Alabama State Docks Board.

(19) ALABAMA DEVELOPMENT OFFICE:

For Salaries, Other Expenses, Equipment Purchases, Automotive Equipment Purchases, National Advertising and Industrial Promotion and Contracts, estimated	1,268,000.00
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The above appropriations shall be paid from Alabama Development Office Fund and shall include appropriations made in Item III A

REGULAR SESSION
5th Day

499

(17) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Development Office from whatever source are hereby appropriated.

(20) STATE BOARD OF
REGISTRATION FOR
PROFESSIONAL
ENGINEERS AND LAND
SURVEYORS:

For the fiscal year ending September 30, 1974:

For salaries	53,722.00	
For other expenses	39,721.00	
For investigations and court costs	10,000.00	
For equipment purchases	5,500.00	
Total		108,943.00

For the fiscal year ending September 30, 1975:

For salaries	55,222.00	
For other expenses	43,621.00	
For investigations and court costs	10,000.00	
For equipment purchases	4,000.00	
Total		112,843.00

The above appropriations are payable out of funds in the State Treasury to the credit of the Professional Engineers Fund as provided in Title 46, Chapter 7, Code of Alabama 1940, as amended.

(21) FARMERS MARKET
AUTHORITY:

For the fiscal year ending September 30, 1974:

For salaries	28,000.00	
For other expenses	26,900.00	
For equipment purchases	800.00	
For automotive equipment purchases	4,000.00	
Total		59,700.00

For the fiscal year ending September 30, 1975:

For salaries	28,200.00	
For other expenses	27,800.00	
Total		56,000.00

The above appropriations shall be paid from the funds in the State Treasury to the credit of the Farmers Market Authority and shall include the appropriation herein made in Item III A (19) of this Act.

(22) STATE FORESTRY
COMMISSION:

For the fiscal year ending September 30, 1974:

For salaries	3,200,000.00
For other expenses	850,000.00
For equipment purchases	166,000.00
For automotive equipment purchases	400,000.00
For transfer to State Personnel Department	10,000.00

Total 4,626,000.00

For the fiscal year ending September 30, 1975:

For salaries	3,500,000.00
For other expenses	900,000.00
For equipment purchases	200,000.00
For automotive equipment purchases	400,000.00
For transfer to State Personnel Department	10,700.00

Total 5,010,700.00

The funds hereinabove appropriated to the Forestry Commission shall be paid out of the Forestry Fund and the appropriations made to the said fund as provided in Items III, B (4) of this Act.

It is provided that in the event receipts into the Forestry Fund from County appropriations exceed the sum of \$300,000.00 for each of the fiscal years ending September 30, 1974, and September 30, 1975, then such excess is hereby appropriated. It is further provided that in the event receipts into the Forestry Fund from Federal Funds exceed the sum of \$687,100.00 for the fiscal year ending September 30, 1974, and September 30, 1975, then such excess is hereby

appropriated. In the event of an emergency, so determined by the Director of the Forestry Commission and the Governor, the Director of the Forestry Commission with the approval of the Governor is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Forestry Commission.

(23) STATE BOARD OF
REGISTRATION FOR
FORESTERS:

For the fiscal year ending September 30, 1974:

For other expenses	6,805.00	
For equipment purchases	700.00	
Total		7,505.00

For the fiscal year ending September 30, 1975:

For other expenses	6,805.00	
For equipment purchases	700.00	
Total		7,505.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the Professional Foresters' Fund.

(24) LICENSING BOARD FOR THE
HEALING ARTS:

For the fiscal year ending September 30, 1974:

For salaries	37,869.00	
For other expenses	8,600.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	4,000.00	
Total		51,469.00

For the fiscal year ending September 30, 1975:

For salaries	38,077.00	
For other expenses	9,450.00	
Total		47,527.00

The above appropriations are payable out of the fund in the State

Treasury to the credit of the
Licensing Board for the Healing
Arts.

(25) HEALTH DEPARTMENT:

(a) Hospital Licensing:

For the fiscal year ending
September 30, 1974:

For salaries	29,000.00	
For other expenses	6,000.00	
Total		35,000.00

For the fiscal year ending
September 30, 1975:

For salaries	30,000.00	
For other expenses	6,000.00	
Total		36,000.00

The above appropriations are payable from funds in the Hospital Licensing Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated and the appropriation hereinabove made shall include the appropriation made to the said fund as provided in Item III A (23) (h) in this Act.

(b) County Health Work:

For salaries, other expenses, and equipment purchases, estimated	1,268,000.00
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The above appropriations are payable from the funds transferred to this account in Item III A (23) (c) and funds transferred in Item III F (25) (f) and Item III F (25) (g) in this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.

(c) Indigent Care:

For the fiscal year ending
September 30, 1974:

For salaries	12,896.00
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REGULAR SESSION
5th Day

503

For distribution to counties, estimated	324,046.00	
Total		336,942.00

For the fiscal year ending
September 30, 1975:

For salaries	13,182.00	
For distribution to counties, estimated	323,484.00	
Total		336,666.00

The above appropriations are payable from the funds transferred to this account in Item III A (24) (g) of this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.

(d) Medicaid:

For the operation of the Medicaid Program		25,000,000.00
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The above appropriations are payable from the funds transferred to this account in Item III A (23) (i) by this Act. In addition to the above appropriations, any and all funds received to the credit of the medicaid program from whatever source including all funds received from the Federal Government are hereby appropriated.

(e) Bureau of Vital Statistics:

For salaries	290,000.00	
For other expenses	33,500.00	
For equipment purchases	35,000.00	
Total		358,500.00

The above appropriations are payable from the funds in the Vital Statistics Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(f) Health Department:

For salaries	686,000.00	
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JOURNAL OF THE HOUSE, 1973
5th Day

For transfer to the County Health Work Account	375,000.00	
Total		1,061,000.00

The above appropriations are payable from the funds transferred to this account from the General and Mental Health Fund as provided in Act No. 654, 1965 Regular Session.

(g) Health Department:

For the fiscal year ending September 30, 1974:		
For salaries	690,456.00	
For other expenses	394,000.00	
For equipment purchases ...	25,000.00	
For transfer to the County Health Work Account ...	384,000.00	
Total		1,493,456.00

For the fiscal year ending September 30, 1975:		
For salaries	707,000.00	
For other expenses	394,000.00	
For equipment purchases ...	25,000.00	
For transfer to the County Health Work Account ...	384,000.00	
Total		1,510,000.00

The above appropriations are payable from the funds transferred to this Account from the General and Mental Health Fund as provided in Act 275, 1967 Regular Session.

(h) Emergency Medical Services:

For salaries, other expenses, and equipment purchases .	50,000.00
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The above appropriations are payable from the funds in the Emergency Medical Services fund as provided in Act 1590, 1971 Regular Session and shall include the appropriation transferred to this account in Item III (23) p of this Act.

REGULAR SESSION
5th Day

505

(i) Hearing Aid:

Other Expenses	7,000.00
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The above appropriations are payable from the funds in the Hearing Aid fund as provided in Act 2425, 1971 Regular Session.

(j) Water Plant Operators Certifications:

Other Expenses	4,250.00
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The above appropriations are payable from the funds in the Water Plant Operators Certifications fund as provided in Act 1594, 1971 Regular Session.

(k) Water Well Standards Board, Alabama:

For the fiscal year ending
September 30, 1974:

For salaries	24,440.00	
For other expenses	25,560.00	
Total		50,000.00

For the fiscal year ending
September 30, 1975:

For salaries	25,441.00	
For other expenses	24,559.00	
Total		50,000.00

The above appropriations are payable from the Water Well Standards Board funds as provided in Act 1516, 1971 Regular Session.

(26) THE OFFICE OF HIGHWAY
AND TRAFFIC SAFETY:

For salaries, other expenses and equipment purchases	75,000.00
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The above appropriations are payable from the funds transferred to this account in Item III A (24) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities or the Federal Government are hereby appropriated.

(27) ALABAMA HISTORICAL
COMMISSION:

For salaries, other expenses and equipment purchases	100,000.00
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The above appropriations shall be paid from the Alabama Historical Commission Fund and shall include appropriation made in Item III A (25) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Historical Commission from whatever source are hereby appropriated.

(28) DEPARTMENT OF
INDUSTRIAL RELATIONS:

For the salary of the Director, estimated	19,800.00
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For transfer to the State Personnel Department	29,000.00
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For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation, and for such other funds, services and operations for which the United States Government may provide monies; there is hereby appropriated, in addition to the amounts appropriated herein in Item III A (27), all such sums as the United States Government may make available therefor.

(29) STATE INSURANCE FUND:

For the fiscal year ending September 30, 1974:

For salaries	147,254.00	
For other expenses	42,804.50	
For equipment purchases	2,528.50	
For automotive equipment purchases	12,000.00	
Total		204,587.00

For the fiscal year ending September 30, 1975:

For salaries	149,435.00
For other expenses	46,374.75
For equipment purchases	2,360.00

REGULAR SESSION
5th Day

507

For automotive equipment purchases	13,500.00
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Total	211,669.75
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The above appropriations are payable out of the funds in the State Treasury to the credit of the State Insurance Fund, pursuant to Title 28, Section 325, Code of Alabama 1940.

(30) FIRE MARSHALL FUND:

For the fiscal year ending September 30, 1974:

For salaries	59,917.00
For other expenses	74,650.00
For equipment purchases	4,000.00

Total	138,567.00
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For the fiscal year ending September 30, 1975:

For salaries	62,855.00
For other expenses	74,650.00
For equipment purchases	3,000.00

Total	140,505.00
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The above appropriations shall be paid from the Fire Marshall fund as provided in Act 1938, 1971 Regular Session.

(31) LAW ENFORCEMENT FUND	8,000.00
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The above appropriations shall be paid from the proceeds deposited to the credit of the Law Enforcement Fund pursuant to Title 29, Section 251, Code of Alabama 1940, as amended, and the expenditures authorized from such funds are limited to the amount appropriated herein.

**(32) LIQUEFIED PETROLEUM
GAS BOARD:**

For salary of Director, estimated ..	15,961.00
For other salaries	35,023.20
For other expenses	15,805.00
For equipment purchases	600.00
For automotive equipment purchases	3,700.00

Total	71,089.20
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5th Day

The above appropriations shall be paid from receipts paid into the Liquefied Petroleum Gas Fund.

(33) BOARD OF NURSES'
EXAMINERS AND
REGISTRATION:

For the fiscal year ending September 30, 1974:

For salaries	87,589.00
For other expenses	62,660.00
For equipment purchases	1,000.00

Total	151,249.00
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For the fiscal year ending September 30, 1975:

For salaries	90,663.00
For other expenses	66,310.00
For equipment purchases	1,000.00

Total	157,973.00
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The above appropriations are payable out of the funds in the State Treasury to the credit of the State Board of Nurses' Examiners and Registration as provided in Title 46, Chapter 10, Code of Alabama 1940, as amended.

(34) BOARD OF NURSING HOME
ADMINISTRATION:

For the fiscal year ending September 30, 1974:

For expenses incident to the operation and maintenance of the Board of Nursing Home Administration, estimated	31,900.00
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For the fiscal year ending September 30, 1975:

For expenses incident to the operation and maintenance of the Board of Nursing Home Administration, estimated.	35,500.00
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The above appropriations shall be paid from receipts paid into the Board of Nursing Home Administration Fund.

(35) PEACE OFFICERS ANNUITY
AND BENEFIT FUND,
ALABAMA:

REGULAR SESSION
5th Day

509

For the fiscal year ending September 30, 1974:

For salaries	53,661.00	
For other expenses	30,959.00	
For equipment purchases	2,000.00	
Total		86,620.00

For the fiscal year ending September 30, 1975:

For salaries	57,430.00	
For other expenses	30,634.00	
For equipment purchases	2,000.00	
Total		90,064.00

The above appropriations shall be paid from the Peace Officers Annuity and Benefit Fund as provided in Act 1210, 1971 Regular Session.

(36) PENSIONS:

- (a) For Confederate Veterans and their widows: Such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows. The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, Code of Alabama 1940.

(37) DEPARTMENT OF PENSIONS AND SECURITY:

For the salary of the Commissioner	19,800.00
For transfer to the State Personnel Department	63,000.00

For other salaries, expenses, equipment purchases and automotive equipment purchases incident to the operation and management of the Department for all welfare purposes as provided by law, there is hereby appropriated, in addition to the amounts set out in Item III A (35) all Federal, State, County and Municipal funds made available therefor.

(38) PERSONNEL DEPARTMENT:

For the fiscal year ending Sep-
tember 30, 1974:

For salary of the Director, es- timated	19,800.00
For other salaries	314,700.00
For other expenses	100,000.00
For equipment purchases	35,000.00

Total	469,500.00
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For the fiscal year ending Sep-
tember 30, 1975:

For salary of the Director, esti- mated	19,800.00
For other salaries	324,700.00
For other expenses	100,000.00
For equipment purchases	31,000.00

Total	475,500.00
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The above appropriations shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.

(39) BOARD OF EXAMINERS OF
PSYCHOLOGY:For the fiscal year ending Sep-
tember 30, 1974:

For salaries, other expenses, and equipment purchases, estimated	2,000.00
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For the fiscal year ending Sep-
tember 30, 1975:

For salaries, other expenses, and equipment purchases, estimated	2,500.00
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The above appropriations shall be paid from the receipts paid into the Board of Examiners of Psychology Fund and shall include the appropriation made in Item III A (39).

(40) BUREAU OF PUBLICITY AND
INFORMATION:For the fiscal year ending Sep-
tember 30, 1974:

For salaries	86,800.00
For other expenses	61,000.00
For equipment purchases	1,500.00
For advertising	500,000.00

Total	649,300.00
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REGULAR SESSION
5th Day

511

For the fiscal year ending September 30, 1975:

For salaries	99,043.90
For other expenses	68,700.00
For equipment purchases	1,500.00
For advertising	550,000.00

Total	719,243.90
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The above appropriations shall be paid from the receipts collected under the provisions of Act No. 269, 1963 Regular Session.

(41) PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258 and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four per cent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

(42) PUBLIC SERVICE COMMISSION:

For the fiscal year ending September 30, 1974:

For salary of the President and Two Associate Commissioners ..	54,500.00
For other salaries	783,439.00
For other expenses	207,447.00
For equipment purchases	16,000.00
For automotive equipment purchases	48,400.00

Total	1,109,786.00
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For the fiscal year ending September 30, 1975:

For salary of the President and Two Associate Commissioners ..	54,500.00
For other salaries	790,602.00
For other expenses	229,447.00

JOURNAL OF THE HOUSE, 1973
5th Day

For equipment purchases	15,000.00	
For automotive equipment purchases	32,000.00	
Total		1,121,549.00

The above appropriations to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission at the end of a fiscal year in excess of \$150,000.00 shall be transferred to the State General Fund.

(43) ALABAMA REAL ESTATE
COMMISSION:

For the fiscal year ending September 30, 1974:		
For salaries	84,756.00	
For other expenses	44,949.00	
For equipment purchases	10,000.00	
For automotive equipment purchases	8,000.00	
Total		147,705.00

For the fiscal year ending September 30, 1975:		
For salaries	87,854.00	
For other expenses	44,949.00	
Total		132,803.00

The above appropriations shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Chapter 14, of the Code of Alabama 1940, as amended, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(44) DEPARTMENT OF REVENUE:

For the Administrative Account of the Department of Revenue there is hereby transferred from the

REGULAR SESSION
5th Day

513

General Fund and appropriated
as provided in Item III A (42)
(a) of this Act.

For the fiscal year ending Sep- tember 30, 1974	948,509.00
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For the fiscal year ending Sep- tember 30, 1975	970,929.00
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There is hereby appropriated for
transfer to Revenue Department,
Administrative Account from the
gross proceeds of Financial Insti-
tution Excise Tax collections as
part of the cost of operating said
Department,

For the fiscal year ending Sep- tember 30, 1974	104,608.00
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For the fiscal year ending Sep- tember 30, 1975	107,080.00
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There is hereby appropriated for
transfer to Revenue Department,
Administrative Account, from the
gross proceeds of the Forest Sever-
ance Tax Collections as part of
the cost of operating said Depart-
ment,

For the fiscal year ending Sep- tember 30, 1974	106,619.00
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For the fiscal year ending Sep- tember 30, 1975	109,139.10
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There is hereby appropriated for
transfer to Revenue Department,
Administrative Account, from the
gross proceeds of Gasoline Tax
collections as part of the cost of
operating said Department,

For the fiscal year ending Sep- tember 30, 1974	700,066.00
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For the fiscal year ending Sep- tember 30, 1975	716,614.00
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There is hereby appropriated for
transfer to Revenue Department,
Administrative Account, from In-
come Tax Collections, for the cost
of collecting said tax,

For the fiscal year ending Sep- tember 30, 1974	2,325,507.00
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For the fiscal year ending Sep- tember 30, 1975	2,380,476.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Fuel Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1974	404,349.00
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For the fiscal year ending September 30, 1975	413,906.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Vehicle License collections as part of cost of operating said Department,

For the fiscal year ending September 30, 1974	409,378.00
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For the fiscal year ending September 30, 1975	419,054.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax,

For the fiscal year ending September 30, 1974	124,724.00
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For the fiscal year ending September 30, 1975	127,673.00
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There is hereby appropriated for transfer to Revenue Department Administrative Account, from the Public School Fund as part of the cost of collection of the 3-Mill Ad Valorem Tax,

For the fiscal year ending September 30, 1974	308,794.00
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For the fiscal year ending September 30, 1975	316,093.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Sales Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1974	3,235,794.00
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REGULAR SESSION
5th Day

515

For the fiscal year ending September 30, 1975	3,312,280.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Store License Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1974	61,356.00
For the fiscal year ending September 30, 1975	62,807.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Tobacco Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1974	666,873.00
For the fiscal year ending September 30, 1975	682,636.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Use Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1974	318,852.00
For the fiscal year ending September 30, 1975	326,389.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Cigarette Tax collections Act 275, 1967 Regular Session as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1974	134,783.00
For the fiscal year ending September 30, 1975	137,969.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Utility Tax collections as provided in Act No. 37, 1969 Special Session,	

JOURNAL OF THE HOUSE, 1973
5th Day

For the fiscal year ending Sep- tember 30, 1974	208,209.00
For the fiscal year ending Sep- tember 30, 1975	213,131.00
For the fiscal year ending Sep- tember 30, 1974	10,058,421.00
For the fiscal year ending Sep- tember 30, 1975	10,296,176.00
There is hereby appropriated to the Revenue Department from the gross proceeds of Motor Vehicle License collections for the pur- chase only, of Motor Vehicle License tags,	
For the fiscal year ending Sep- tember 30, 1974	1,331,000.00
For the fiscal year ending Sep- tember 30, 1975	1,437,480.00

(45) DEPARTMENT OF
REVENUE—
ADMINISTRATIVE
ACCOUNT:

For the fiscal year ending Sep- tember 30, 1974:	
For the salary of the Commis- sioner	19,800.00
For other salaries	7,234,712.00
For other expenses, estimated	2,143,500.00
For equipment purchases	30,000.00
For automotive equipment pur- chases	21,000.00
For transfer to State Personnel De- partment	18,100.00
Total	9,467,112.00

For the fiscal year ending Sep- tember 30, 1975:	
For the salary of the Commis- sioner	19,800.00
For other salaries	7,405,527.00
For other expenses, estimated	2,190,500.00
For equipment purchases	30,000.00
For automotive equipment pur- chases	21,000.00
For transfer to State Personnel Department	18,100.00
Total	9,684,927.00

The amounts hereinabove appro-
priated for the cost of mainten-

ance and operation of the Department of Revenue are in lieu of any other statutory provision for the payment of the cost of operating said Department or collection of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of taxes or licenses.

(46) STATE BOARD OF
REGISTRATION FOR
SANITARIANS:

For salaries	1,200.00	
For other expenses	1,500.00	
	<hr/>	
Total		2,700.00

The above appropriations shall be paid from the receipts collected under the provisions of Act No. 209, Second Special Session, 1964.

(47) TEMPERANCE EDUCATION:

For the fiscal year ending September 30, 1974:

For salaries	54,990.00	
For other expenses	15,091.00	
For equipment purchases	500.00	
	<hr/>	
Total		70,581.00

For the fiscal year ending September 30, 1975:

For salaries	60,489.00	
For other expenses	16,600.00	
For equipment purchases	500.00	
	<hr/>	
Total		77,589.00

The appropriations hereinabove made shall be paid from the funds transferred from the Alcoholic Beverage Control Board to the Education Department.

(48) ALABAMA THERAPIST
BOARD:

For the fiscal year ending September 30, 1974:

JOURNAL OF THE HOUSE, 1973
5th Day

For expenses	4,100.00	
For equipment purchases	200.00	
Total		4,300.00

For the fiscal year ending September 30, 1975:

For expenses	4,950.00	
For equipment purchases	200.00	
Total		5,150.00

The above appropriations shall be paid from receipts paid into the Alabama Therapist Board Fund.

(49) STATE BOARD OF
VETERINARY MEDICAL
EXAMINERS:

For salaries	100.00	
For other expenses	7,200.00	
For equipment purchases	500.00	
Total		7,800.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Board of Veterinary Medical Examiners, pursuant to the provisions of Act No. 945, approved September 13, 1951.

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission, or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

Section 4. That, except as may be herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except for those appropriations designated as "estimated", and all appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control

Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuition, charges, sales, endowments, trusts or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are re-appropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purpose for which the grant or contribution was or shall be made.

Section 7. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 8. That all laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

Section 9. That this Act shall become effective on October 1, 1973.

And the substitute was adopted.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Harris	Mims
Adams	Cottingham	Headley	Naramore
Agee	Cross	Hearn	Nettles
Bank	Crowe	Hill	O'Daniel
Barkett	Culver	Hobbie	Owens
Barron	Dill	Hughes	Parker
Bassett	Doss	Jackson	Perloff
Benton	Downing	Jones (F)	Pruitt
Boles	Drake	King	Reed (T)
Boutwell	Easters	Kinsey	Reid (R)
Bowers	Edwards	Lutz	Reynolds
Brassell	Ellis	McBride	Roberts
Burgess	Erdreich	McCluskey	Robertson
Callahan	Falkenburg	McDonald	St. John
Carnes	Fite	McMillan	Slate
Carter	Flippo	McNair	Smith (K)
Casey	Goodwin	Manley	Smith (P)
Cauthen	Grainger	Mathews	Snell
Chesnut	Grey (D)	May	Stewart
Collins	Hale	Meeks	Stokes
Connell	Hardin	Merrill	Stubbs

Taylor
Therrell
Timmons
Turner

Turnham
Waggoner
Waldrop
Wallace

Warren
Weeks
Williams

Wise
Wood
Wynot

—98

The question, then, was on the adoption of the amendment #1 reported by the Standing Committee on Ways and Means, said amendment being as follows:

The substitute to H. B. 321 is hereby amended by deleting the first five lines under Section 2. I (4) "LEGISLATIVE REFERENCE SERVICE" on Page 2 of said substitute to H. B. 321 and substituting therefor the following:

"(4) LEGISLATIVE REFERENCE SERVICE

For the fiscal year ending September 30, 1974:

For salary of the Director	20,000.00
For other salaries	184,050.00
For other expenses	18,850.00
For equipment purchases	2,100.00

Total	225,000.00
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For the fiscal year ending September 30, 1975:

For salary of the Director	20,000.00
For other salaries	233,250.00
For other expenses	19,650.00
For equipment purchases	2,100.00

Total	275,000.00
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And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett
Barron
Bassett
Benton
Boles
Boutwell
Brassell
Burgess
Callahan
Carnes
Carter
Casey
Cauthen
Chesnut
Collins

Coshatt
Cottingham
Cross
Crowe
Culver
Dill
Doss
Downing
Drake
Easters
Edwards
Ellis
Erdreich
Fite
Flippo
Gafford
Goodwin
Grainger
Grey (D)
Hale

Hardin
Harris
Headley
Hearn
Hill
Hobbie
Hughes
Jackson
Jones (F)
King
Kinsey
Lutz
McBride
McCluskey
McDonald
McMillan
McNair
Manley
Mathews
May

Meeks
Merrill
Naramore
Nettles
O'Daniel
Owens
Parker
Perloff
Pruitt
Reed (T)
Reid (R)
Reynolds
Roberts
Robertson
St. John
Slate
Smith (K)
Smith (P)
Snell
Stewart

REGULAR SESSION
5th Day

521

Stokes	Timmons	Waldrop	Williams
Stubbs	Turner	Wallace	Wise
Taylor	Turnham	Warren	Wood
Therrell	Waggoner	Weeks	Wynot

—96

The question, then, was on the adoption of the amendment #2 reported by the Standing Committee on Ways and Means, said amendment being as follows:

Amend Section 2 (III) (A) (23) of Substitute House Bill No. 321 by inserting the word "Control" after the words "For Air Pollution" and delete the following words and figures: "\$240,000.00 and 1135, 1969 Regular Session" and inserting in lieu thereof the following: \$320,000.00 and 769, 1971 Regular Session".

And the amendment was adopted.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Roberts
Adams	Dill	King	Robertson
Adwell	Doss	Kinsey	St. John
Agee	Downing	Lutz	Slate
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Flippo	May	Therrell
Brassell	Gafford	Meeks	Timmons
Burgess	Goodwin	Merrill	Turner
Callahan	Grainger	Mims	Turnham
Carnes	Grey (D)	Naramore	Waggoner
Carter	Hale	Nettles	Waldrop
Casey	Hardin	O'Daniel	Wallace
Cauthen	Harris	Owens	Warren
Collins	Headley	Perloff	Weeks
Coshatt	Hearn	Pruitt	Williams
Cottingham	Hill	Reed (T)	Wise
Crawford	Hobbie	Reid (R)	Wood
Cross	Hughes	Reynolds	Wynot
Crowe	Jackson		

—98

The question, then, was on the adoption of the amendment #3 reported by the Standing Committee on Ways and Means, said amendment being as follows:

Amend Substitute H. B. 321 by striking from Section III, (34) page 14, the figure \$68,000.00 and insert in lieu the figure \$98,000.00.

And the amendment was adopted.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

5th Day

Brassell	Ellis	McCluskey	Slate
Burgess	Erdreich	McDonald	Smith (K)
Callahan	Fite	McMillan	Smith (P)
Carnes	Flippo	McNair	Snell
Carter	Gafford	Manley	Stewart
Casey	Goodwin	Mathews	Stokes
Cauthen	Grainger	May	Stubbs
Chesnut	Hale	Meeks	Taylor
Collins	Hardin	Merrill	Therrell
Connell	Harris	Naramore	Timmons
Coshatt	Headley	Nettles	Turner
Cottingham	Hearn	O'Daniel	Turnham
Crawford	Hill	Owens	Waggoner
Cross	Hobbie	Parker	Waldrop
Crowe	Hughes	Perloff	Wallace
Culver	Jackson	Pruitt	Warren
Dill	Jones (F)	Reed (T)	Weeks
Doss	King	Reid (R)	Williams
Downing	Kinsey	Reynolds	Wise
Drake	Lang	Roberts	Wood
Easters	Lutz	Robertson	Wynot
Edwards	McBride	St. John	

—99

The question, then, was on the adoption of the amendment #4 reported by the Standing Committee on Ways and Means, said amendment being as follows:

Amend Substitute House Bill 321 by adding in Section III E. following (58), the following:

“(59) Tri-River Development Association 30,000”

And the amendment was adopted.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Dill	Kinsey	Slate
Agee	Doss	Lang	Smith (K)
Bank	Downing	Lutz	Smith (P)
Barkett	Drake	McBride	Snell
Barron	Easters	McCluskey	Stewart
Bassett	Edwards	McDonald	Stokes
Benton	Ellis	McMillan	Stubbs
Boles	Erdreich	McNair	Taylor
Boutwell	Fite	Manley	Therrell
Bowers	Gafford	Mathews	Timmons
Brassell	Goodwin	May	Turner
Burgess	Grainger	Merrill	Turnham
Callahan	Grey (D)	Naramore	Waggoner
Carnes	Hale	Nettles	Waldrop
Carter	Hardin	Owens	Wallace
Cauthen	Harris	Parker	Warren
Chesnut	Headley	Perloff	Weeks
Collins	Hearn	Pruitt	Williams
Connell	Hill	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Cross	Jackson	Roberts	

—95

REGULAR SESSION
5th Day

523

The question, then, was on the adoption of the amendment #5 reported by the Standing Committee on Ways and Means, said amendment being as follows:

After Section 2, III E. (59) add the following:

(60) Peace Officers Standards and Training Commission

(a) For the fiscal year ending September 30, 1974:

Salaries	27,200.00	
Other Expenses	20,385.00	
Equipment Purchases	3,400.00	
Total		50,985.00

For the fiscal year ending
September 30, 1975:

Salaries	27,900.00	
Other Expenses	24,205.00	
Equipment Purchases	3,400.00	
Total		55,505.00

And the amendment was adopted.

Yeas 94; Nays 1.

Yeas:

Mr. Speaker	Crowe	King	Robertson
Adams	Culver	Kinsey	St. John
Adwell	Dill	Lutz	Slate
Agee	Doss	McBride	Smith (K)
Bank	Downing	McCluskey	Smith (P)
Barkett	Drake	McDonald	Snell
Barron	Easters	McMillan	Stewart
Bassett	Edwards	Manley	Stokes
Boles	Ellis	Mathews	Stubbs
Boutwell	Erdreich	May	Taylor
Bowers	Fite	Meeks	Therrell
Brassell	Gafford	Merrill	Timmons
Burgess	Goodwin	Naramore	Turner
Callahan	Grainger	Nettles	Turnham
Carnes	Grey (D)	O'Daniel	Waggoner
Carter	Hale	Owens	Waldrop
Cauthen	Hardin	Parker	Wallace
Chesnut	Harris	Perloff	Warren
Collins	Headley	Pruitt	Weeks
Connell	Hearn	Reed (T)	Williams
Coshatt	Hobbie	Reid (R)	Wise
Cottingham	Hughes	Reynolds	Wood
Crawford	Jackson	Roberts	Wynot
Cross	Jones (F)		

—94

Nay: Mr. McNair.

—1

The question, then, was on the adoption of the amendment #6 reported by the Standing Committee on Ways and Means, said amendment being as follows:

5th Day

Amend Substitute H. B. 321 by striking Section 2, III. B (6) on page 19 of the bill and inserting in lieu thereof the following:

“(6) GEOLOGICAL SURVEY

For the fiscal year ending September 30, 1974:

For the salary of the State Geologist	23,000.00	
For other salaries	320,000.00	
For other expenses	110,000.00	
For equipment purchases	8,000.00	
For automotive equipment purchases	9,000.00	
For matching funds for investigation of water, mineral & energy resources of the State	180,000.00	
For test drilling	25,000.00	
For Topographic Mapping	25,000.00	
For special geological survey relating to sink holes in Shelby County	30,000.00	
Total		730,000.00

For the fiscal year ending September 30, 1975:

For the salary of the State Geologist	23,000.00	
For other salaries	320,000.00	
For other expenses	110,000.00	
For equipment purchases	8,000.00	
For automotive equipment purchases	9,000.00	
For matching funds for investigation of water, mineral & energy resources of the State	180,000.00	
For test drilling	25,000.00	
For Topographic Mapping	25,000.00	
Total		700,000.00

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Bowers	Crawford	Ellis
Adams	Brassell	Cross	Erdreich
Adwell	Burgess	Crowe	Fite
Agee	Callahan	Culver	Gafford
Bank	Carnes	Dill	Goodwin
Barkett	Carter	Doss	Grainger
Barron	Chesnut	Downing	Grey (D)
Benton	Collins	Drake	Hale
Boles	Coshatt	Easters	Hardin
Boutwell	Cottingham	Edwards	Harris

REGULAR SESSION
5th Day

525

Headley	McNair	Reynolds	Therrell
Hearn	Manley	Roberts	Timmons
Hobbie	Mathews	Robertson	Turner
Hughes	May	St. John	Turnham
Jackson	Merrill	Slate	Waggoner
Jones (F)	Naramore	Smith (K)	Waldrop
King	Nettles	Smith (P)	Wallace
Kinsey	Owens	Snell	Warren
Lutz	Parker	Stewart	Weeks
McBride	Perloff	Stokes	Williams
McCluskey	Pruitt	Stubbs	Wise
McDonald	Reed (T)	Taylor	Wynot
McMillan	Reid (R)		

—90

The question, then, was on the adoption of the amendment #7 reported by the Standing Committee on Ways and Means, said amendment being as follows:

In Section B., Subsection (4), of Substitute to H. B. 321 where Alabama Forestry Commission appears in the amount of \$1,500,000, add in that column the amount of \$245,000.00 and that amount shall read \$1,745,000.00.

And further amend Section III, F. (22) of Substitute to H. B. 321 where the figures \$400,000.00 appear by changing these figures to \$645,000.00 and that the totals in this section be changed accordingly.

And the amendment was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Reynolds
Adams	Crowe	King	Roberts
Adwell	Culver	Kinsey	Robertson
Agee	Dill	Lutz	St. John
Bank	Doss	McBride	Slate
Barkett	Downing	McCluskey	Smith (K)
Barron	Drake	McDonald	Smith (P)
Bassett	Easters	McMillan	Snell
Benton	Edwards	McNair	Stewart
Boles	Ellis	Manley	Stokes
Boutwell	Erdreich	Mathews	Stubbs
Bowers	Falkenburg	May	Taylor
Brassell	Fite	Meeks	Therrell
Burgess	Gafford	Merrill	Timmons
Callahan	Goodwin	Mims	Turner
Carnes	Grainger	Naramore	Turnham
Carter	Hale	Nettles	Waggoner
Casey	Hardin	O'Daniel	Waldrop
Cauthen	Harris	Owens	Wallace
Chesnut	Headley	Parker	Warren
Collins	Hearn	Perloff	Weeks
Connell	Hobbie	Pruitt	Williams
Coshatt	Hughes	Reed (T)	Wise
Cottingham	Jackson	Reid (R)	Wynot
Crawford			

—97

The question, then, was on the adoption of the amendment #8 reported by the Standing Committee on Ways and Means, said amendment being as follows:

Amend the substitute to H. B. 321, Section 2, III, B, (2) (a) on page 18 of said bill as follows:

Strike out the figures "40,000.00" in item (a) under the appropriation to the Agricultural Center Board and substitute in lieu thereof the figures "42,732.00".

And the amendment was adopted.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Roberts
Adams	Crowe	King	Robertson
Adwell	Culver	Kinsey	St. John
Agee	Dill	Lutz	Slate
Bank	Doss	McBride	Smith (K)
Barkett	Downing	McCluskey	Smith (P)
Barron	Drake	McDonald	Stewart
Bassett	Easters	McMillan	Stokes
Boles	Edwards	McNair	Stubbs
Boutwell	Ellis	Manley	Taylor
Bowers	Erdreich	Mathews	Therrell
Brassell	Fite	May	Timmons
Burgess	Gafford	Meeks	Turner
Callahan	Goodwin	Merrill	Turnham
Carnes	Grainger	Naramore	Waggoner
Carter	Grey (D)	Nettles	Waldrop
Casey	Hale	Owens	Wallace
Cauthen	Hardin	Parker	Warren
Chesnut	Harris	Perloff	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson		

—94

The question, then, was on the adoption of the amendment #9 reported by the Standing Committee on Ways and Means, said amendment being as follows:

In Section 2, III B (8) State Soil Conservation Committee: Strike the following words and figures:

For salaries	37,000.00
For other expenses	58,000.00
For Watershed Planning Party & Soil & Water Conservation Dis- tricts	75,000.00
Total	170,000.00

and insert in lieu thereof the following words and figures:

(a) For the fiscal year ending Sep-
tember 30, 1974:

For salaries	37,000.00
For other expenses	58,000.00

REGULAR SESSION
5th Day

527

For Watershed Planning Par- ty & Soil & Water Conserv- ation Districts	125,250.00	
For Motor Vehicle equip- ment	3,750.00	
Total		224,000.00
For the fiscal year ending September 30, 1975:		
For salaries	37,000.00	
For other expenses	58,000.00	
For Watershed Planning Par- ty & Soil & Water Conserv- ation Districts	125,250.00	
Total		220,250.00

And the amendment was adopted.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Robertson
Adams	Cross	King	St. John
Adwell	Crowe	Kinsey	Slate
Agee	Culver	Lutz	Smith (K)
Bank	Dill	McBride	Smith (P)
Barkett	Doss	McCluskey	Snell
Barron	Downing	McDonald	Stewart
Bassett	Easters	McMillan	Stokes
Benton	Edwards	McNair	Stubbs
Boles	Ellis	Manley	Taylor
Boutwell	Erdreich	Mathews	Therrell
Bowers	Falkenburg	May	Timmons
Brassell	Fite	Merrill	Turner
Burgess	Flippo	Mims	Turnham
Callahan	Gafford	Naramore	Waggoner
Carnes	Grainger	Nettles	Waldrop
Carter	Hale	O'Daniel	Wallace
Casey	Hardin	Owens	Warren
Cauthen	Harris	Parker	Weeks
Chesnut	Headley	Perloff	Williams
Collins	Hearn	Pruitt	Wise
Connell	Hobbie	Reed (T)	Wood
Coshatt	Hughes	Reid (R)	Wynot
Cottingham	Jackson	Roberts	

—95

The question, then, was on the adoption of the amendment #10 reported by the Standing Committee on Ways and Means, said amendment being as follows:

In Section III A. (48) of the substitute to H. B. 321, change the figure "326,700.00" to "336,700.00" and change the figure "50,000.00" to "65,000.00" and change the figure "10,000.00" to "20,000.00".

And the amendment was adopted.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Roberts
Adams	Culver	Kinsey	Robertson
Adwell	Dill	Lutz	St. John
Agee	Doss	McBride	Slate
Barkett	Downing	McCluskey	Smith (K)
Barron	Easters	McDonald	Smith (P)
Bassett	Edwards	McMillan	Snell
Benton	Ellis	McNair	Stewart
Boles	Erdreich	Manley	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Gafford	Meeks	Therrell
Burgess	Goodwin	Merrill	Turner
Carnes	Grainger	Mims	Turnham
Carter	Grey (D)	Naramore	Waggoner
Casey	Hale	Nettles	Waldrop
Cauthen	Hardin	O'Daniel	Wallace
Chesnut	Harris	Owens	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hobbie	Pruitt	Wise
Cottingham	Hughes	Reed (T)	Wood
Crawford	Jackson	Reid (R)	Wynot
Cross	Jones (F)	Reynolds	

—95

The question, then, was on the adoption of the amendment #11 reported by the Standing Committee on Ways and Means, said amendment being as follows:

Amend Substitute H. B. 321 by striking from Section III, E (57) page 24, the figure \$10,000.00 and insert in lieu the figure \$25,000.00.

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Connell	Hale	Mathews
Adams	Coshatt	Hardin	May
Agee	Cottingham	Harris	Meeks
Bank	Cross	Headley	Merrill
Barkett	Crowe	Hearn	Naramore
Barron	Culver	Hill	Nettles
Bassett	Dill	Hobbie	O'Daniel
Benton	Doss	Hughes	Owens
Boles	Downing	Jackson	Parker
Boutwell	Easters	Jones (F)	Perloff
Bowers	Ellis	King	Pruitt
Brassell	Erdreich	Kinsey	Reid (R)
Burgess	Falkenburg	Lutz	Reynolds
Carnes	Fite	McBride	Roberts
Carter	Flippo	McCluskey	Robertson
Casey	Gafford	McDonald	St. John
Cauthen	Goodwin	McMillan	Slate
Chesnut	Grainger	McNair	Smith (P)
Collins	Grey (D)	Manley	Snell

REGULAR SESSION
5th Day

529

Stewart	Therrell	Waggoner	Weeks
Stokes	Timmons	Waldrop	Williams
Stubbs	Turner	Wallace	Wise
Taylor	Turnham	Warren	Wynot

—92

The question, then, was on the adoption of the amendment #12 reported by the Standing Committee on Ways and Means, said amendment being as follows:

Amend the Substitute for H. B. 321 by deleting the whole of Section 2, Item III, B, (7) as same appears on page 19 of the Bill and insert in lieu thereof the following:

“(7) OIL AND GAS BOARD:

(a) Operations of Board:

For salaries	347,000.00	
For other expenses	86,000.00	
For equipment purchases	2,000.00	
For salaries, other expenses, equipment purchases, and automotive equipment purchases to be allotted upon opening of New Oil and Gas Fields	40,000.00	
Total		475,000.00

(b) Submerged Off-shore Lands:

For salaries, other expenses, equipment purchases, and automotive equipment purchases for surveillance of oil and gas drilling and producing operations, conditional upon the condition of the treasury and with the approval of the Governor		100,000.00”
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MOTION TO TABLE LOST

The motion of Mr. Kinsey to table the amendment #12 reported by the Standing Committee on Ways and Means to the bill, H. 321, was lost.

Yeas 27; Nays 54.

Yeas:

Messrs.:	Erdreich	King	Roberts
Benton	Flippo	Kinsey	Slate
Boutwell	Grainger	Lutz	Taylor
Cauthen	Hale	McMillan	Therrell
Chesnut	Harris	McNair	Waldrop
Cross	Hearn	Naramore	Warren
Doss	Hill	Nettles	Wise

—27

5th Day

Nays:

Mr. Speaker	Crowe	McBride	Robertson
Adams	Culver	McCluskey	St. John
Agee	Dill	McDonald	Snell
Barkett	Downing	Manley	Stokes
Barron	Drake	Mathews	Stubbs
Brassell	Easters	Meeks	Timmons
Callahan	Ellis	Merrill	Turner
Carnes	Falkenburg	Owens	Turnham
Casey	Fite	Parker	Waggoner
Collins	Gafford	Perloff	Wallace
Connell	Grey (D)	Pruitt	Williams
Coshatt	Headley	Reed (T)	Wood
Cottingham	Hughes	Reid (R)	Wynot
Crawford	Jackson		

—54

The question was then on the adoption of the amendment #12 reported by the Standing Committee on Ways and Means, and the amendment was adopted.

Yeas 68; Nays 21.

Yeas:

Mr. Speaker	Crawford	Hobbie	Reynolds
Adams	Cross	Hughes	Robertson
Adwell	Crowe	Jackson	St. John
Agee	Culver	McBride	Smith (K)
Barkett	Dill	McCluskey	Snell
Barron	Downing	McDonald	Stewart
Bassett	Drake	Manley	Stokes
Bowers	Easters	Mathews	Stubbs
Brassell	Ellis	Meeks	Timmons
Callahan	Falkenburg	Merrill	Turner
Carnes	Fite	Mims	Turnham
Carter	Flippo	Owens	Waggoner
Casey	Goodwin	Parker	Wallace
Collins	Hardin	Perloff	Weeks
Connell	Headley	Pruitt	Williams
Coshatt	Hearn	Reed (T)	Wise
Cottingham	Hill	Reid (R)	Wynot

—68

Nays:

Messrs.:	Gafford	Lutz	Roberts
Boutwell	Grainger	McMillan	Taylor
Cauthen	Hale	McNair	Therrell
Chesnut	Harris	Naramore	Waldrop
Doss	King	Nettles	Warren
Erdreich	Kinsey		

—21

UNANIMOUS CONSENT GRANTED

At the request of Mr. Benton, unanimous consent was granted for the Journal to show him voting "Nay" on amendment #12 to the bill, H. 321.

The question, then, was on the adoption of the amendment #13 reported by the Standing Committee on Ways and Means, said amendment being as follows:

REGULAR SESSION
5th Day

531

Amend Substitute to H. B. 321 by striking from Section III, E. (41) on page 24 of the bill the figure \$5,000.00 and insert in lieu thereof the figure \$15,000.00.

And the amendment was adopted.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Robertson
Adwell	Culver	Jones (F)	St. John
Agee	Dill	King	Slate
Bank	Downing	Kinsey	Smith (K)
Barkett	Drake	Lutz	Smith (P)
Barron	Easters	McBride	Snell
Bassett	Edwards	McCluskey	Stewart
Benton	Ellis	McDonald	Stokes
Boles	Erdreich	McMillan	Stubbs
Boutwell	Falkenburg	McNair	Taylor
Bowers	Fite	Manley	Timmons
Brassell	Flippo	Mathews	Turner
Burgess	Gafford	May	Turnham
Callahan	Goodwin	Merrill	Waggoner
Carnes	Grainger	Mims	Waldrop
Carter	Grey (D)	Naramore	Wallace
Casey	Hale	O'Daniel	Warren
Cauthen	Hardin	Owens	Weeks
Chesnut	Harris	Perloff	Williams
Collins	Headley	Pruitt	Wise
Coshatt	Hearn	Reed (T)	Wood
Cottingham	Hill	Reid (R)	Wynot
Crawford	Hobbie		

—94

The question, then, was on the adoption of the amendment #14 reported by the Standing Committee on Ways and Means, said amendment being as follows:

Amend Section III, E, of Substitute to H. B. 321 by adding subsection (61) Gulf Shores Tourist Association, \$10,000.00.

And the amendment was adopted.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Carter	Drake	Harris
Adams	Casey	Easters	Hearn
Adwell	Cauthen	Edwards	Hill
Agee	Chesnut	Ellis	Hobbie
Barkett	Collins	Erdreich	Hughes
Barron	Coshatt	Falkenburg	Jackson
Bassett	Cottingham	Fite	Jones (F)
Benton	Crawford	Flippo	King
Boles	Cross	Gafford	Kinsey
Boutwell	Crowe	Goodwin	Lutz
Bowers	Culver	Grainger	McBride
Brassell	Dill	Grey (D)	McCluskey
Burgess	Doss	Hale	McDonald
Carnes	Downing	Hardin	McMillan

McNair	Perloff	Smith (P)	Waggoner
Manley	Pruitt	Snell	Waldrop
Mathews	Reed (T)	Stewart	Wallace
May	Reid (R)	Stokes	Warren
Meeks	Reynolds	Taylor	Weeks
Merrill	Roberts	Therrell	Williams
Mims	Robertson	Timmons	Wise
Naramore	St. John	Turner	Wood
Nettles	Slate	Turnham	Wynot
Parker	Smith (K)		

—94

The question, then, was on the adoption of the amendment #15 reported by the Standing Committee on Ways and Means, said amendment being as follows:

Amend the Substitute for H. B. 321 by deleting the whole of Section 2, Item III, A, (25) as it appears on page 12 of the Bill and substituting in lieu thereof the following:

“(25) ALABAMA HISTORICAL
COMMISSION:

For transfer to Alabama Historical
Commission:

For the fiscal year ending Sep- tember 30, 1974	141,408.00
For the fiscal year ending Sep- tember 30, 1975	144,720.00”

further amend the Bill by deleting the whole of Section 2, Item III, F, (27) as same appears on page 51 of the Bill and substitute in lieu thereof the following:

“(27) ALABAMA HISTORICAL
COMMISSION:

For operations of the Alabama
Historical Commission:

For the fiscal year ending Sep- tember 30, 1974	141,408.00
For the fiscal year ending Sep- tember 30, 1975	144,720.00

The above appropriations shall be paid from the Alabama Historical Commission Fund and shall include appropriation made in Item III, A (25) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Historical Commission from whatever source are hereby appropriated.”

And the amendment was adopted.

REGULAR SESSION
5th Day

533

Yeas 98; Nays 0.

Yeas:

Messrs.:	Crowe	Jackson	Reynolds
Adams	Culver	Jones (F)	Roberts
Adwell	Dill	King	Robertson
Agee	Doss	Kinsey	St. John
Barkett	Downing	Lutz	Slate
Barron	Drake	McBride	Smith (K)
Bassett	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Bowers	Falkenburg	Manley	Stubbs
Brassell	Fite	Mathews	Taylor
Burgess	Flippo	May	Therrell
Callahan	Gafford	Meeks	Timmons
Carnes	Goodwin	Merrill	Turner
Carter	Grainger	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hobbie	Reed (T)	Wynot
Cross	Hughes	Reid (R)	

—98

The question, then, was on the adoption of the amendment #16 reported by the Standing Committee on Ways and Means, said amendment being as follows:

Amend Substitute H. B. 321 by striking in Section III, A, (40), the following words and figures "For Mobile Carnival Association \$3,000" and insert in lieu thereof the following:

"For the Mobile Carnival Association\$5,000.00"

And the amendment was adopted.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Carnes	Downing	Harris
Adams	Carter	Drake	Headley
Adwell	Casey	Easters	Hill
Agee	Cauthen	Edwards	Hughes
Bank	Chesnut	Ellis	Jackson
Barkett	Collins	Erdreich	Jones (F)
Barron	Connell	Falkenburg	King
Bassett	Coshatt	Fite	Kinsey
Benton	Cottingham	Flippo	Lutz
Boles	Crawford	Gafford	McBride
Boutwell	Cross	Goodwin	McCluskey
Bowers	Crowe	Grainger	McDonald
Brassell	Culver	Grey (D)	McMillan
Burgess	Dill	Hale	McNair
Callahan	Doss	Hardin	Manley

May	Pruitt	Snell	Waggoner
Merrill	Reed (T)	Stewart	Waldrop
Mims	Reid (R)	Stokes	Wallace
Naramore	Roberts	Stubbs	Warren
Nettles	Robertson	Taylor	Weeks
O'Daniel	St. John	Therrell	Williams
Owens	Slate	Timmons	Wise
Parker	Smith (K)	Turner	Wynot
Perloff	Smith (P)	Turnham	

—95

The question, then, was on the adoption of the amendment #17 reported by the Standing Committee on Ways and Means, said amendment being as follows:

Amend H. B. No. 321, as substituted, Section 2, III, F, (4) (e) on page 29 of said Bill wherein funds are appropriated from the Shipping Point Inspection Fund by striking out all of Item (e) and inserting in lieu thereof the following:

(e) Shipping Point Inspection
Fund:

There is hereby appropriated out of receipts to the Shipping Point Inspection Fund (Act No. 26, Legislature of 1956, approved March 23, 1956). For Shipping Point Inspection work performed by the Department of Agriculture and Industries for the payment of salaries, other expenses, equipment purchases and automotive equipment purchases all fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection, grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities, and shall include the appropriation made in Item III F (4) (a) of this Act."

And the amendment was adopted.

REGULAR SESSION
5th Day

535

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Roberts
Adams	Crowe	Jackson	Robertson
Adwell	Culver	Jones (F)	St. John
Agee	Dill	King	Slate
Bank	Doss	Lutz	Smith (K)
Barkett	Downing	McBride	Smith (P)
Barron	Drake	McCluskey	Snell
Bassett	Easters	McDonald	Stewart
Boles	Edwards	McMillan	Stokes
Boutwell	Ellis	McNair	Stubbs
Bowers	Erdreich	Mathews	Taylor
Brassell	Falkenburg	May	Therrell
Burgess	Fite	Meeks	Timmons
Callahan	Flippo	Merrill	Turner
Carnes	Gafford	Mims	Turnham
Carter	Goodwin	Naramore	Waggoner
Casey	Grainger	Nettles	Waldrop
Cauthen	Grey (D)	O'Daniel	Wallace
Chesnut	Hale	Owens	Warren
Collins	Hardin	Perloff	Weeks
Connell	Harris	Pruitt	Williams
Coshatt	Headley	Reed (T)	Wise
Cottingham	Hearn	Reid (R)	Wood
Crawford	Hill	Reynolds	Wynot

—96

The question, then, was on the adoption of the amendment #18 reported by the Standing Committee on Ways and Means, said amendment being as follows:

Amend H. B. No. 321, as substituted, Section 2, III, F (4) (b) on page 28 of said Bill wherein funds are appropriated from the Egg Inspection Fund as follows:

(1) Strike out the figures "61,451.00" under the appropriation for the fiscal year ending September 30, 1974 on page 28 of the Bill where said figures appear opposite the words "For salaries", and insert in lieu thereof the figures "66,285.00". Also, strike out the figures "84,451.00" appearing opposite the word "Total" and insert in lieu thereof the figures "89,285.00".

(2) Strike out the figures "61,451.00" under the appropriation for the fiscal year ending September 30, 1975 where said figures appear opposite the words "For salaries", and insert in lieu thereof the figures "66,285.00". Also, strike out the figures "81,151.00" appearing opposite the word "Total" and insert in lieu thereof the figures "85,985.00".

And the amendment was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boutwell	Carnes
Adams	Barron	Bowers	Carter
Adwell	Bassett	Brassell	Casey
Agee	Benton	Burgess	Cauthen
Bank	Boles	Callahan	Chesnut

Collins	Grainger	Mathews	Smith (K)
Coshatt	Grey (D)	May	Smith (P)
Cottingham	Hale	Meeks	Snell
Cross	Hardin	Merrill	Stewart
Crowe	Harris	Mims	Stokes
Culver	Headley	Naramore	Stubbs
Dill	Hearn	Nettles	Therrell
Doss	Hill	O'Daniel	Timmons
Downing	Hughes	Owens	Turner
Drake	Jackson	Parker	Turnham
Easters	Jones (F)	Perloff	Waggoner
Edwards	King	Pruitt	Waldrop
Ellis	Kinsey	Reed (T)	Wallace
Erdreich	Lutz	Reid (R)	Warren
Falkenburg	McBride	Reynolds	Weeks
Fite	McCluskey	Roberts	Williams
Flippo	McDonald	Robertson	Wise
Gafford	McMillan	St. John	Wood
Goodwin	McNair	Slate	Wynot

—96

The question, then, was on the adoption of the amendment #19 reported by the Standing Committee on Ways and Means, said amendment being as follows:

Amend H. B. No. 321, as substituted, Section 2, III, F (4) (a) on pages 26 and 27 as follows:

(1) For the fiscal year ending September 30, 1974 on page 26 under item (a) of said Bill strike out the following words: "For Swine Indemnities, to be expended in accordance with Act No. 573, 1969, Regular Session" and insert in lieu of said words the following words: "For Swine Disease Indemnity Payments, to be expended in accordance with Sections 17-26 of Act No. 694, Legislature of 1947".

(2) For the fiscal year ending September 30, 1975 on page 27 under item (a) of said Bill strike out the following words: "For Swine Indemnities, to be expended in accordance with Act No. 573, 1969, Regular Session" and insert in lieu of said words the following words: "For Swine Disease Indemnity Payments, to be expended in accordance with Sections 17-26 of Act No. 694, Legislature of 1947".

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Callahan	Dill	Grey (D)
Adams	Carnes	Doss	Hale
Adwell	Carter	Downing	Hardin
Bank	Casey	Drake	Harris
Barkett	Cauthen	Easters	Headley
Barron	Chesnut	Edwards	Hearn
Bassett	Collins	Ellis	Hill
Benton	Connell	Erdreich	Hughes
Boles	Coshatt	Falkenburg	Jackson
Boutwell	Cottingham	Fite	Jones (F)
Bowers	Cross	Flippo	King
Brassell	Crowe	Gafford	Kinsey
Burgess	Culver	Goodwin	Lutz

5th Day

McBride	Nettles	Slate	Turner
McCluskey	Owens	Smith (K)	Turnham
McDonald	Parker	Smith (P)	Waggoner
McMillan	Perloff	Snell	Waldrop
McNair	Pruitt	Stewart	Wallace
Mathews	Reed (T)	Stokes	Warren
May	Reid (R)	Stubbs	Weeks
Meeks	Roberts	Taylor	Williams
Merrill	Robertson	Therrell	Wise
Mims	St. John	Timmons	Wynot
Naramore			

—93

Mr. Erdreich offered the following amendment #1 to the bill, H. 321, as amended:

Amend H. B. 321 by adding the additional following subsection to Section 2 (III) (E):

(62) Birmingham Park and Recreation Board for transfer to the Bir- mingham Zoo	45,000.00
--	-----------

And the amendment was adopted.

Yeas 66; Nays 7.

Yeas:

Mr. Speaker	Crowe	Hardin	Roberts
Adams	Dill	Harris	St. John
Adwell	Doss	Hearn	Slate
Bank	Downing	Hughes	Smith (K)
Bassett	Drake	Kinsey	Smith (P)
Boles	Easters	McBride	Snell
Boutwell	Edwards	McDonald	Stokes
Bowers	Ellis	McMillan	Therrell
Carnes	Erdreich	McNair	Timmons
Carter	Falkenburg	Meeks	Waggoner
Cauthen	Fite	Naramore	Waldrop
Chesnut	Flippo	Perloff	Wallace
Collins	Gafford	Pruitt	Weeks
Connell	Goodwin	Reed (T)	Wise
Coshatt	Grainger	Reid (R)	Wood
Cottingham	Grey (D)	Reynolds	Wynot
Cross	Hale		

—66

Nays:

Messrs.:	Burgess	Lutz	Nettles
Barron	Hill	Merrill	Parker

—7

Mr. Erdreich offered the following amendment #2 to the bill, H. 321, as amended:

Amend Substitute for H. B. 321 by adding to Section 2 the additional subsection G:

"G. From funds received pursuant to the State and Local Assistance Act of 1972 (Public Law 92-502), commonly known as the General Revenue Sharing Act:

(1) MENTAL HEALTH:

For transfer to Special Mental
Health Fund:For the fiscal year ending Sep-
tember 30, 1974 \$ 8,000,000.00For the fiscal year ending Sep-
tember 30, 1975 \$ 8,000,000.00

(2) BOARD OF CORRECTIONS:

For transfer to Board of Correc-
tionsFor the fiscal year ending Sep-
tember 30, 1974 6,000,000.00For the fiscal year ending Sep-
tember 30, 1975 6,000,000.00

(3) DEPARTMENT OF HEALTH:

For Air Pollution Commission 180,000.00

(4) PUBLIC LIBRARY SERVICE
DIVISION:For State aid to county units to
be distributed among the counties
on a per capita basis:For the fiscal year ending Sep-
tember 30, 1974 702,000.00For the fiscal year ending Sep-
tember 30, 1975 702,000.00

AMENDMENT TABLED

On motion of Mr. Mathews, the amendment #2 offered by Mr. Er-
dreich to the bill, H. 321 as amended, was tabled.

Yeas 55; Nays 27.

Yeas:

Mr. Speaker
Adams
Agee
Barron
Bassett
Benton
Brassell
Carnes
Carter
Casey
Chesnut
Collins
Connell
CoshattCottingham
Crawford
Cross
Crowe
Downing
Drake
Easters
Edwards
Fite
Hardin
Headley
Hearn
Hobbie
HughesJackson
Kinsey
McBride
McCluskey
Manley
Mathews
Meeks
Merrill
Mims
Naramore
O'Daniel
Owens
Parker
PruittReynolds
St. John
Slate
Snell
Stubbs
Therrell
Turner
Turnham
Waggoner
Warren
Williams
Wise
Wynot

REGULAR SESSION
5th Day

539

Nays:

Messrs.:	Flippo	King	Reid (R)
Boutwell	Gafford	Lutz	Roberts
Cauthen	Grainger	McDonald	Stewart
Doss	Hale	McMillan	Stokes
Ellis	Harris	McNair	Taylor
Erdreich	Hill	Nettles	Waldrop
Falkenburg	Jones (F)	Perloff	Wood

—27

AMENDMENT LOST

Mr. Nettles offered the following amendment to the bill, H. 321 as amended:

Amend Section 6 of House Bill No. 321 by adding at the conclusion thereof the following:

“ ; provided, however, that any general revenue sharing funds appropriated, granted or disbursed by the Congress of the United States to the State of Alabama shall be appropriated, allocated or expended only by Act of the Legislature.”

And the amendment was lost.

Yeas 23; Nays 59.

Yeas:

Messrs.:	Flippo	King	Meeks
Barron	Grainger	Lutz	Nettles
Cauthen	Hale	McDonald	Roberts
Dill	Harris	McMillan	Stewart
Ellis	Hill	McNair	Stokes
Erdreich	Jones (F)	Manley	Taylor

—23

Nays:

Mr. Speaker	Connell	Headley	Reynolds
Adams	Cottingham	Hearn	Robertson
Agee	Crawford	Hobbie	St. John
Barkett	Cross	Hughes	Slate
Bassett	Crowe	Jackson	Snell
Benton	Downing	Kinsey	Stubbs
Boutwell	Drake	Mathews	Turner
Brassell	Easters	May	Waggoner
Burgess	Edwards	Merrill	Wallace
Callahan	Falkenburg	Mims	Warren
Carnes	Fite	Naramore	Weeks
Carter	Gafford	Owens	Williams
Casey	Goodwin	Perloff	Wise
Chesnut	Grey (D)	Pruitt	Wynot
Collins	Hardin	Reid (R)	

—59

RESOLUTIONS

The following resolutions were introduced:

By Mr. Mathews:

H. J. R. 65. WHEREAS, Alabama Power Company previously applied to the Federal Power Commission for a license for the proposed Crook-

ed Creek Hydroelectric Project (FPC Project No. 2628) to be located on the Tallapoosa River in Randolph and Clay Counties, Alabama; and

WHEREAS, such application was filed with the Federal Power Commission on November 1, 1968, over four years ago; and

WHEREAS, the proposed hydroelectric project would not only supply needed electric power for the State of Alabama and create a beautiful lake for recreation but would also represent a substantial investment of money by Alabama Power Company which would stimulate the economy in Randolph and Clay Counties and other areas of the State in proximity to such counties; and

WHEREAS, the proposed Crooked Creek Reservoir would further provide an excellent source of cooling water for a future large steam-electric generating plant proposed by Alabama Power Company for location adjacent to such reservoir; and

WHEREAS, there has been no intervention or formal opposition to this project before the Federal Power Commission and the failure of the Federal Power Commission to issue a license for this worthwhile project for such a long period of time is unreasonable and costly to the citizens of the State of Alabama;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Federal Power Commission is strongly urged to issue to Alabama Power Company an acceptable license for the proposed Crooked Creek Hydroelectric Project (FPC Project No. 2628) without further delay.

The resolution, H. J. R. 65, was read and referred to the Standing Committee on Rules.

Also:

By Mr. McDonald:

H. J. R. 66. NAMING THAT SECTION OF U. S. HIGHWAY 431 PASSING THROUGH THE CITY OF ALBERTVILLE AS "HOOPER DRIVE."

WHEREAS, John F. Hooper established the First Bank in the City of Albertville, having established the J. F. Hooper Bank in the year of January 1, 1902; and

WHEREAS, his two sons, A. B. (Lon) Hooper, Sr., and E. L. (Lee) Hooper, also operated said bank for many years for the convenience of the people of Albertville; and

WHEREAS, his two grandsons, W. B. (Brashear) Hooper and A. B. (Barber) Hooper, Jr., operated the above bank for a number of years in a courteous and dignified manner; and

WHEREAS, his son A. B. (Lon) Hooper, Sr., and his grandson, A. B. (Barber) Hooper, Jr., served the City of Albertville as Mayor for many years in a dignified and constructive manner; and

WHEREAS, his grandson, S. B. (Bowie) Hooper served in the United States Army during World War I and World War II with honor, having re-

tired as Colonel. He served as United States Postmaster of the City of Albertville for some thirty years, and served as President of the Albertville Lions Club, as well as serving for many years as a Charter Member of the Albertville Library Board and serving for many years as City Judge for the City of Albertville; and

WHEREAS, his grandson, W. B. (Brashear) Hooper served as Bank Examiner, as Chief Probate Clerk and as teacher of the Methodist Men's Sunday School Class at the First Methodist Church in Albertville for many years; and

WHEREAS, in order to extend to those descendants of the Honorable J. F. Hooper an expression of gratitude for the contributions that the Hooper family have made toward the growth and stability of the City of Albertville; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the section of U. S. Highway 431 beginning at the northern most point of the Corporate City Limits of Albertville, and extending to the southern most point of said Corporate Limits, be designated as "Hooper Drive" and the State Highway Department shall cause appropriate signs and markers to be erected along said highway.

The resolution, H. J. R. 66, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Carnes:

H. J. R. 67. WHEREAS, Richard W. Wolf has distinguished himself by unselfish dedication to the betterment of mankind, and

WHEREAS, the said Richard W. Wolf has given generously of his time and energy in the promotion of numerous progressive causes, and

WHEREAS, the said Richard W. Wolf has exhibited great leadership in his city, county, and state, and

WHEREAS, the said Richard W. Wolf in recognition of his outstanding contributions, has been selected for inclusion in the 1973 edition of *Outstanding Young Men of America*,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the said Richard W. Wolf be commended for his numerous leadership activities and accomplishments and for his selection to be included in the 1973 edition of *Outstanding Young Men of America*.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 67, on the Clerk's desk for one legislative day.

Also:

By Mr. Carnes:

H. J. R. 68. WHEREAS, Joe C. Elliott has distinguished himself by unselfish dedication to betterment of mankind, and

WHEREAS, the said Joe C. Elliott has given generously of his time and energy in the promotion of numerous progressive causes, and

WHEREAS, the said Joe C. Elliott has exhibited great leadership in his city, county, and state, and

WHEREAS, the said Joe C. Elliott, in recognition of his outstanding contributions, has been selected for inclusion in the 1973 edition of *Outstanding Young Men of America*,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the said Joe C. Elliott be commended for his numerous leadership activities and accomplishments and for his selection to be included in the 1973 edition of *Outstanding Young Men of America*.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 68, on the Clerk's desk for one legislative day.

Also:

By Messrs. Wise and Jackson:

H. J. R. 69. COMMENDING THE PEOPLE OF THE CITY OF HARTFORD FOR ITS "SISTER CITY" PROGRAM. PROVIDING FOR THE ADOPTION THE CITY OF LITCHFIELD, MINNESOTA, BY THE CITY OF HARTFORD AS A "SISTER CITY."

WHEREAS, the people of the City of Hartford, Geneva County, Alabama, have initiated a program of friendship and cultural exchange with the people of the City of Litchfield, Minnesota, and

WHEREAS, this exchange program grew from the common agricultural interest of the two towns and was begun by F.F.A. members, parents, and interested businessmen, and

WHEREAS, the city of Hartford, Alabama, and the City of Litchfield, Minnesota, have exchanged visitors on several occasions, and

WHEREAS, this exchange of visitors can only lead to a greater understanding between the people of these two cities and their culture, customs, and heritage; now therefore

BE IT RESOLVED BY THE LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That the people of the City of Hartford be commended for their "Sister City" program.

BE IT FURTHER RESOLVED, that the people of the City of Hartford, Alabama, be authorized to adopt the City of Litchfield, Minnesota, as their "Sister City."

BE IT FURTHER RESOLVED, that the Clerk of the House send a copy of this resolution to the Mayor of the City of Litchfield, Minnesota and request that he make it known to all the citizens of Litchfield.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 69, on the Clerk's desk for one legislative day.

Also:

By Messrs. Fite and Drake:

H. J. R. 70. MOURNING THE DEATH OF JOHN A. POSEY, JR. OF HALEYVILLE.

WHEREAS, John A. Posey, Jr., was recently killed in a plane crash near Montgomery; and

WHEREAS, John A. Posey, Jr., was a lifelong resident of Haleyville in Winston County and graduated from Haleyville High School. He attended Howard College, now Samford University, and received his law degree from the University of Alabama Law School in 1950; and

WHEREAS, John A. Posey, Jr., served in this legislature as a member of the House of Representatives from 1963 through 1967, rendering distinguished service to his state and county. He further served as County Judge for Winston County; and

WHEREAS, John A. Posey, Jr., was a successful businessman and lawyer, who is often spoken of as the father of the mobile home industry in and around Haleyville; and

WHEREAS, John A. Posey, Jr. was a veteran of World War II, serving in the U. S. Air Corp; and

WHEREAS, John A. Posey, Jr. was an active member of the First Baptist Church in Haleyville; and

WHEREAS, John A. Posey, Jr. leaves behind a wife and three children who will dearly miss him; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body does mourn the untimely death of John A. Posey, Jr. and does send condolences to his family.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to his widow and three children.

On motion of Mr. Fite, the rules were suspended and the resolution, H. J. R. 70, was adopted.

CO-SPONSORS ADDED

Unanimous consent was granted the entire membership of the House to have their names added as co-sponsors to the resolution, H. J. R. 70.

UNANIMOUS CONSENT GRANTED

At the request of Mr. Benton, unanimous consent was granted for the Journal to show him voting "Nay" on amendment #12 reported by the Standing Committee on Ways and Means to the bill, H. 321.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Owens, Adams, Adwell, Agee, Bank, Barkett, Barron, Bassett, Benton, Boles, Boutwell, Bowers, Brassell, Burgess, Callahan, Carnes, Carter, Casey, Cauthen, Chesnut, Collins, Connell, Coshatt, Cottingham, Crawford, Cross, Crowe, Culver, Dill, Doss, Downing, Drake, Easters, Edwards, Ellis, Erdreich, Falkenburg, Fite, Flippo, Gafford, Goodwin, Grainger, Gray (F), Grey (D), Hale, Hardin, Harris, Headley, Hearn, Hill, Hobbie, Hughes, Jackson, Jones (E), Jones (F), King, Kinsey, Lang, Lutz, Lyons, McBride, McCluskey, McCorquodale, McDonald,

McMillan, McNair, Manley, Mathews, May, Meeks, Merrill, Mims, Naramore, Nettles, O'Daniel, Parker, Perloff, Pruitt, Reed (T), Reid (R), Reynolds, Roberts, Robertson, St. John, Slate, Smith (K), Smith (P), Snell, Stewart, Stokes, Stubbs, Taylor, Therrell, Timmons, Turner, Turnham, Waggoner, Waldrop, Wallace, Warren, Weeks, Williams, Wise, Wood and Wynot:

H. J. R. 71. LAMENTING TORNADO DAMAGE IN BIBB COUNTY

WHEREAS, on Sunday May 27, 1973 Bibb County was severely battered by tornadoes of unprecedented destructive force; and

WHEREAS, these tornadoes destroyed many of the homes and businesses in the Town of Brent and in Bibb County and resulted in four deaths; and

WHEREAS, the people of Bibb County displayed an overwhelming spirit of cooperation by giving their friends and neighbors shelter in their time of need; and

WHEREAS, the people of Bibb County have and continue to labor long and hard to recover from devastating effects of these tornadoes, displaying a determination to rebuild their homes and communities; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we express our sympathy to the people of Bibb County and especially to the people of Brent and to those whose loved ones were taken by this tragedy.

BE IT FURTHER RESOLVED, That we commend the people of Bibb County for their cooperative spirit and determination to rebuild their community.

BE IT FURTHER RESOLVED, That an enrolled copy of this resolution be sent to the governing body of Bibb County, to the municipal governing bodies in all municipalities in Bibb County and to the radio and television stations and newspapers serving Bibb County.

On motion of Mr. Owens, the rules were suspended and the resolution, H. J. R. 71, was adopted.

Also:

By Messrs. Ellis, McNair, Stubbs, Adwell, Erdreich, Weeks, Doss, Boutwell, McBride, Waggoner, Meeks, Wallace, Bowers, Hughes, Boles, Falkenburg, Dill, Timmons, McMillan, Adams, Agee, Bank, Barkett, Barron, Bassett, Benton, Brassell, Burgess, Callahan, Carnes, Carter, Casey, Cauthen, Chesnut, Collins, Connell, Coshatt, Cottingham, Crawford, Cross, Crowe, Culver, Downing, Drake, Easters, Edwards, Fite, Flipppo, Gafford, Goodwin, Grainger, Gray (F), Grey (D), Hale, Hardin, Harris, Headley, Hearn, Hill, Hobbie, Jackson, Jones (E), Jones (F), King, Kinsey, Lang, Lutz, Lyons, McCluskey, McCorquodale, McDonald, Manley, Mathews, May, Merrill, Mims, Naramore, Nettles, O'Daniel, Owens, Parker, Perloff, Pruitt, Reed (T), Reid (R), Reynolds, Roberts, Robertson, St. John, Slate, Smith (K), Smith (P), Snell, Stewart, Stokes,

Taylor, Therrell, Turner, Turnham, Waldrop, Warren, Williams, Wise, Wood and Wynot:

H. J. R. 72. WHEREAS, The Legislature of Alabama wishes to recognize loss of life and the terrible suffering that occurred in Jefferson and Shelby Counties that was caused by tornadoes on Sunday, May 27; and

WHEREAS, We wish to express our deepest sympathy to those who lost loved ones and sustained injuries to loved ones; and

WHEREAS, The Legislature knows of the terrific property damage to houses and businesses; and

WHEREAS, We wish to help our friends and neighbors in their time of need,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish to pledge our support and help in anyway we may be able to assist the people in their time of need.

BE IT FURTHER RESOLVED, That we concur with the Governor of Alabama in asking that our State be declared a disaster area by the Federal Government for federal aid.

On motion of Mr. Ellis, the rules were suspended and the resolution, H. J. R. 72, was adopted.

H. 321 RESUMED

Mrs. Wynot offered the following amendment to the bill, H. 321 as amended:

Amend Substitute H.B. 321 by adding in Section III E, page 24 following (61) the following:

“(62) Women’s Commission 25,000.00”

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hale	Mathews
Adams	Cross	Hardin	May
Agee	Crowe	Harris	Meeks
Bank	Dill	Hill	Merrill
Barkett	Doss	Hobbie	Mims
Barron	Downing	Hughes	Naramore
Bassett	Drake	Jackson	Nettles
Boutwell	Easters	Jones (F)	O’Daniel
Bowers	Edwards	King	Owens
Brassell	Ellis	Kinsey	Perloff
Burgess	Erdreich	McBride	Reed (T)
Callahan	Falkenburg	McCluskey	Reid (R)
Carnes	Fite	McDonald	Reynolds
Carter	Flippo	McMillan	Roberts
Chesnut	Goodwin	McNair	Robertson
Connell	Grainger	Manley	St. John

JOURNAL OF THE HOUSE, 1973
5th Day

Smith (P)
Stewart
Stokes

Timmons
Turner
Waldrop

Wallace
Warren
Weeks

Wise
Wood
Wynot

—76

Mr. Slate offered the following amendment to the bill, H. 321 as amended:

Amend Section 2, III E (32) of Substitute to House Bill No. 321 relating to Alabama Mountain Lake Association by changing the amount thereof appropriated from \$5,000.00 to \$15,000.00.

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Reed (T)
Adams	Culver	Hobbie	Reid (R)
Agee	Dill	Hughes	Reynolds
Bank	Doss	Jackson	Roberts
Barkett	Downing	King	Robertson
Barron	Drake	Kinsey	St. John
Bassett	Easters	Lutz	Slate
Boles	Edwards	McBride	Smith (P)
Boutwell	Ellis	McCluskey	Stewart
Brassell	Erdreich	McDonald	Stokes
Burgess	Falkenburg	McMillan	Timmons
Carnes	Fite	McNair	Turner
Carter	Flippo	Manley	Turnham
Cauthen	Gafford	May	Waldrop
Chesnut	Goodwin	Meeks	Wallace
Collins	Grainger	Naramore	Weeks
Connell	Grey (D)	O'Daniel	Williams
Coshatt	Hale	Owens	Wise
Cottingham	Hardin	Perloff	Wood
Cross	Harris	Pruitt	Wynot

—80

Mr. Owens offered the following amendment to the bill, H. 321 as amended:

Delete the following words and figures that appear at the end of Section 2. III. A (28) on page 13 viz:

"For equipment purchases	\$	1,000.00	
Total			\$ 507,800.00"

and substitute in lieu thereof the following:

For equipment purchases	\$	50,000.00	
Total			\$556,800.00

And the amendment was adopted.

Yeas 47; Nays 23.

Yeas:

Messrs.:	Bank	Bassett	Carter
Adams	Barkett	Boutwell	Chesnut
Adwell	Barron	Brassell	Connell

REGULAR SESSION
5th Day

547

Crowe	Fite	Kinsey	Pruitt
Culver	Grainger	McBride	Reynolds
Doss	Gray (F)	McMillan	Roberts
Downing	Grey (D)	McNair	Stokes
Drake	Hale	Manley	Stubbs
Easters	Hardin	Meeks	Timmons
Edwards	Headley	Merrill	Turnham
Erdreich	Hughes	Nettles	Weeks
Falkenburg	Jackson	Owens	Wynot

—47

Nays:

Mr. Speaker	Dill	Mathews	Stewart
Burgess	Gafford	Naramore	Therrell
Carnes	Goodwin	Reid (R)	Turner
Collins	Hobbie	Robertson	Waldrop
Cottingham	Lutz	St. John	Wood
Crawford	McDonald	Slate	

—23

Mr. Stubbs offered the following amendment to the bill, H. 321 as amended:

In Section 2 III C strike out item (6) in its entirety and substitute the following:

(6) BOARD OF PARDONS AND
PAROLES:

For the fiscal year ending Sep-
tember 30, 1974:

For salaries of Board Members	55,500.00
For other salaries	1,245,000.00
For other expenses	135,000.00
For automotive equipment pur- chases	13,000.00
For equipment purchases	9,000.00
For federal matching funds	136,850.00

Total	1,594,350.00
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For the fiscal year ending Sep-
tember 30, 1975:

For salaries of Board Members	55,500.00
For other salaries	1,300,000.00
For other expenses	135,000.00
For automotive equipment pur- chases	13,000.00
For equipment purchases	9,000.00
For federal matching funds	150,000.00

Total	1,662,500.00
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And the amendment was adopted.

Yeas 54; Nays 19.

Yeas:

Messrs.:	Bank	Burgess	Casey
Adwell	Boutwell	Callahan	Chesnut
Agee	Brassell	Carnes	Collins

5th Day

Coshatt	Fite	McBride	St. John
Culver	Goodwin	McDonald	Snell
Dill	Grainger	McMillan	Stokes
Doss	Grey (D)	McNair	Stubbs
Downing	Hale	May	Therrell
Drake	Hardin	Merrill	Timmons
Easters	Headley	Nettles	Waldrop
Edwards	Hearn	Owens	Wallace
Ellis	Hughes	Perloff	Weeks
Erdreich	Jackson	Reed (T)	Wise
Falkenburg	Kinsey	Reid (R)	

—54

Nays:

Mr. Speaker	Gafford	Meeks	Slate
Barron	Hill	Naramore	Stewart
Cauthen	Lutz	Parker	Turner
Cottingham	Manley	Pruitt	Wood
Crawford	Mathews	Roberts	

—19

Mr. Lang offered the following amendment to the bill, H. 321 as amended:

Amend House Bill 321, as substituted, Section 2, III, B. (1), DEPARTMENT OF AGRICULTURE AND INDUSTRIES, appropriation on page 18 of said bill by adding item (c) immediately after item (b) on page 18 under DEPARTMENT OF AGRICULTURE AND INDUSTRIES, said item (c) to read as follows:

“(c) For transfer to the Department of Agriculture and Industries to be expended by said Department for salaries, other expenses, equipment purchases, automotive equipment purchases and for purchase of insecticides and chemicals for control of the fire ant 250,000.00”

Further amend H. B. 321, as substituted, Section 2, III, F., (4) (c) on page 28 of said bill wherein funds are appropriated to the Department of Agriculture and Industries by adding item (c) (c) immediately after item (c) on said page 28 to read as follows:

“(c) (c) Plant Industry Division:

For salaries, other expenses, equipment purchases, automotive equipment purchases and for purchase of insecticides and chemicals for control of the fire ant 250,000.00”

“The above appropriations are payable from the funds transferred to this account in Section III (B) (1) (c) of this Act. In addition to the above appropriation, any funds received for this work from the Federal Govern-

REGULAR SESSION
5th Day

549

ment and grants and con-
tributions from other sources
are hereby appropriated."

And the amendment was adopted.

Yeas 52; Nays 19.

Yeas:

Messrs.:	Drake	Jones (F)	Pruitt
Barkett	Easters	Kinsey	Reed (T)
Bassett	Edwards	Lang	Reid (R)
Benton	Ellis	McBride	Reynolds
Boutwell	Fite	McCluskey	Smith (P)
Brassell	Goodwin	McNair	Stokes
Burgess	Grey (D)	May	Stubbs
Carter	Hardin	Meeks	Therrell
Chesnut	Harris	Merrill	Turnham
Connell	Headley	Mims	Wallace
Coshatt	Hobbie	Naramore	Weeks
Cottingham	Hughes	Owens	Wise
Cross	Jackson	Parker	Wynot
Dill			—52

Nays:

Mr. Speaker	Doss	Nettles	Taylor
Barron	Hill	Roberts	Timmons
Carnes	King	St. John	Turner
Cauthen	Lutz	Slate	Wood
Collins	McDonald	Stewart	—19

Mr. Carter offered the following amendment to the bill, H. 321 as amended:

Amend H. B. 321, Section 2 (III) Sub-Section E, Item 17, entitled Elk River Development Association by changing the figure \$5,000.00 to \$10,000.00.

And the amendment was adopted.

Yeas 71; Nays 3.

Yeas:

Mr. Speaker	Carter	Ellis	McBride
Adams	Casey	Falkenburg	McDonald
Adwell	Cauthen	Fite	McNair
Agee	Chesnut	Flippo	Manley
Bank	Coshatt	Goodwin	May
Barkett	Cottingham	Grainger	Merrill
Bassett	Cross	Hale	Naramore
Benton	Crowe	Hardin	Owens
Boles	Dill	Headley	Parker
Boutwell	Doss	Hill	Pruitt
Brassell	Downing	Hobbie	Reid (R)
Burgess	Drake	Jackson	Reynolds
Callahan	Easters	King	St. John
Carnes	Edwards	Kinsey	Slate

Smith (P)	Taylor	Turnham	Wise	
Stewart	Therrell	Waldrop	Wood	
Stokes	Timmons	Wallace	Wynot	
Stubbs	Turner	Williams		—71

Nays:

Messrs.:	Barron	Hughes	Meeks	—3
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Messrs. Bowers, Gafford, Weeks, Bank, Adwell and Drake offered the following amendment to the bill, H. 321 as amended:

In Section 2.III. A. strike out item (51) in its entirety and substitute the following:

(51) DEPARTMENT OF
VETERANS' AFFAIRS:

For the fiscal year ending Sep-
tember 30, 1974:

For the salary of the Service Com- missioner	17,500.00	
For other salaries	943,300.00	
For other expenses	60,000.00	
For equipment purchases	2,000.00	
For automotive equipment pur- chases	3,500.00	
For contract with Veterans of Foreign Wars Organization	22,150.00	
For contract with Disabled Ameri- can Veterans Organization	5,550.00	
Total		1,054,000.00

For the fiscal year ending Sep-
tember 30, 1975:

For the salary of the Service Com- missioner	17,500.00	
For other salaries	1,018,300.00	
For other expenses	60,000.00	
For equipment purchases	2,000.00	
For automotive equipment pur- chases	3,500.00	
For contract with Veterans of For- eign Wars Organization	22,150.00	
For contract with Disabled Ameri- can Veterans Organization	5,550.00	
Total		1,129,000.00

And the amendment was adopted.

Yeas 86; Nays 1.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

REGULAR SESSION
5th Day

551

Brassell	Ellis	Kinsey	Slate
Carnes	Falkenburg	McBride	Smith (P)
Carter	Fite	McCluskey	Snell
Casey	Flippo	McDonald	Stewart
Cauthen	Gafford	McNair	Stokes
Chesnut	Goodwin	Manley	Stubbs
Connell	Grainger	May	Taylor
Coshatt	Gray (F)	Meeks	Therrell
Cottingham	Grey (D)	Merrill	Timmons
Crawford	Hale	Mims	Turner
Cross	Hardin	Naramore	Turnham
Crowe	Harris	Nettles	Waldrop
Culver	Headley	Owens	Wallace
Dill	Hill	Parker	Weeks
Doss	Hobbie	Pruitt	Williams
Downing	Hughes	Reid (R)	Wise
Drake	Jackson	Reynolds	Wood
Easters	Jones (F)	St. John	Wynot
Edwards	King		

—86

Nay: Mr. Lutz.

—1

Mr. Flippo offered the following amendment to the bill, H. 321 as amended:

Amend H. B. 321 as substituted and amended #1 by deleting in its entirety subsections (38) and (46) of Section 2 (III) A and renumbering the subsections therein.

MOTION TO TABLE LOST

The motion of Mr. Collins to table the amendment #1 offered by Mr. Flippo was lost.

Yeas 40; Nays 41.

Yeas:

Mr. Speaker	Culver	Headley	Reid (R)
Agee	Downing	Hobbie	Reynolds
Barkett	Drake	Hughes	Robertson
Boles	Easters	Jackson	Stubbs
Brassell	Edwards	Jones (F)	Therrell
Burgess	Ellis	Kinsey	Timmons
Callahan	Fite	May	Turner
Collins	Goodwin	Merrill	Weeks
Connell	Grey (D)	Naramore	Williams
Crawford	Hardin	Owens	Wynot

—40

Nays:

Messrs.:	Dill	Lang	Roberts
Adams	Doss	Lutz	St. John
Barron	Erdreich	McDonald	Slate
Boutwell	Flippo	McMillan	Smith (P)
Carnes	Grainger	McNair	Snell
Casey	Gray (F)	Meeks	Stewart
Cauthen	Hale	Nettles	Stokes
Coshatt	Harris	Parker	Taylor
Cottingham	Hearn	Perloff	Waldrop
Cross	Hill	Reed (T)	Wood
Crowe	King		

—41

The question was then on the amendment #1 offered by Mr. Flippo to the bill, H. 321 as amended, and the amendment was adopted.

Yeas 44; Nays 43.

Yeas:

Messrs.:	Dill	Lang	Reed (T)
Adams	Doss	Lutz	Roberts
Barron	Erdreich	McBride	St. John
Benton	Falkenburg	McDonald	Slate
Boutwell	Flippo	McMillan	Snell
Bowers	Grainger	McNair	Stewart
Carnes	Hale	Manley	Stokes
Casey	Harris	Meeks	Taylor
Cauthen	Hearn	Nettles	Waldrop
Coshatt	Hill	Parker	Wise
Cross	King	Perloff	Wood
Crowe			

—44

Nays:

Mr. Speaker	Culver	Jackson	Robertson
Agee	Downing	Jones (F)	Smith (P)
Barkett	Drake	Kinsey	Stubbs
Boles	Easters	McCluskey	Therrell
Brassell	Edwards	Mathews	Timmons
Burgess	Ellis	May	Turner
Callahan	Fite	Merrill	Turnham
Collins	Grey (D)	Naramore	Weeks
Connell	Hardin	Owens	Williams
Cottingham	Headley	Reid (R)	Wynot
Crawford	Hobbie	Reynolds	

—43

MOTION TO RECONSIDER

Having voted on the prevailing side, Mr. Flippo moved to reconsider the vote by which his amendment #1 to the bill, H. 321 as amended, was adopted, and the motion was adopted.

AMENDMENT WITHDRAWN

On motion of Mr. Flippo, the amendment #1 offered by him to the bill, H. 321 as amended, was withdrawn.

UNANIMOUS CONSENT GRANTED

At the request of Mr. Roberts, unanimous consent was granted for the Journal to show him voting "Yea" on the amendments to the bill, H. 321 offered by Messrs. Stubbs, Lang, Carter and Bowers.

Mr. Flippo offered the following amendment #2 to the bill, H. 321 as amended:

Amend H. B. 321 as substituted and amended by deleting in its entirety subsections 38 of Section 2 (III) A and renumbering the subsections therein.

And the amendment was lost.

REGULAR SESSION
5th Day

553

Yeas 42; Nays 51.

Yeas:

Messrs.:	Doss	McBride	St. John
Adams	Erdreich	McDonald	Slate
Barron	Flippo	McMillan	Smith (K)
Benton	Grainger	McNair	Snell
Boutwell	Hale	Manley	Stewart
Bowers	Harris	Meeks	Stokes
Carnes	Hearn	Nettles	Taylor
Casey	Hill	Parker	Waldrop
Cauthen	Hughes	Perloff	Wood
Cross	King	Reed (T)	Wynot
Dill	Lutz	Roberts	—42

Nays:

Mr. Speaker	Cottingham	Headley	Owens
Agee	Crawford	Hobbie	Reynolds
Barkett	Crowe	Jackson	Robertson
Bassett	Culver	Jones (F)	Smith (P)
Boles	Downing	Kinsey	Stubbs
Brassell	Drake	Lang	Therrell
Burgess	Easters	McCluskey	Timmons
Callahan	Edwards	Mathews	Turner
Carter	Ellis	May	Turnham
Chesnut	Fite	Merrill	Waggoner
Collins	Gafford	Mims	Warren
Connell	Grey (D)	Naramore	Williams
Coshatt	Hardin	O'Daniel	—51

AMENDMENT LOST

Mr. Hill offered the following amendment to the bill, H. 321 as amended:

Amend H. B. 321 as substituted and amended by deleting in its entirety subsections 46 of Section 2 (III) A and renumbering the subsections therein.

And the amendment was lost.

Yeas 45; Nays 47.

Yeas:

Messrs.:	Dill	Lutz	Reid (R)
Adams	Doss	McBride	Roberts
Barron	Erdreich	McDonald	St. John
Benton	Flippo	McMillan	Slate
Boutwell	Goodwin	McNair	Snell
Bowers	Grainger	Manley	Stewart
Carnes	Hale	Meeks	Stokes
Carter	Hardin	Nettles	Taylor
Cauthen	Harris	Parker	Therrell
Coshatt	Hill	Perloff	Waldrop
Cross	Hughes	Reed (T)	Wood
Crowe	King		—45

Nays:

Mr. Speaker	Cottingham	Hearn	Owens
Agee	Crawford	Hobbie	Robertson
Barkett	Culver	Jackson	Smith (P)
Bassett	Downing	Jones (F)	Stubbs
Boles	Drake	Lang	Timmons
Brassell	Easters	McCluskey	Turner
Burgess	Edwards	Mathews	Turnham
Callahan	Ellis	May	Waggoner
Casey	Fite	Merrill	Warren
Chesnut	Gafford	Mims	Williams
Collins	Grey (D)	Naramore	Wynot
Connell	Headley	O'Daniel	

—47

Mr. Chesnut offered the following amendment to the bill, H. 321 as amended:

Amend Section 2. III. E. of Substitute to H. B. 321, as amended, by adding subsection () Cherokee County Arts Council Inc., 1,000.00.

And the amendment was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hearn	Pruitt
Adams	Cross	Hill	Reid (R)
Adwell	Crowe	Hobbie	Reynolds
Agee	Culver	Hughes	Roberts
Bank	Dill	Jackson	Robertson
Barkett	Downing	Jones (F)	St. John
Barron	Drake	King	Slate
Bassett	Easters	Kinsey	Smith (P)
Benton	Edwards	Lang	Stewart
Boles	Ellis	McBride	Stokes
Boutwell	Erdreich	McCluskey	Stubbs
Bowers	Falkenburg	McDonald	Therrell
Brassell	Fite	McMillan	Timmons
Burgess	Flippo	McNair	Turner
Carnes	Goodwin	Manley	Waggoner
Carter	Grainger	Mathews	Waldrop
Casey	Gray (F)	May	Wallace
Cauthen	Grey (D)	Meeks	Warren
Chesnut	Hale	Merrill	Weeks
Collins	Hardin	Naramore	Williams
Connell	Harris	Owens	Wood
Coshatt	Headley	Parker	Wynot

—88

Mr. Mims offered the following amendment #1 to the bill, H. 321 as amended:

In Section 2. III. F. (15) BOARD OF CORRECTION: For the fiscal year ending September 30, 1974: strike out the following words and figures:

“Total _____ “_____ 9,985,000.00”

and insert the following

For transfer to the Law Enforcement Plan-

REGULAR SESSION
5th Day

555

ning Agency to be used for matching funds	82,565.00	
Total		10,067,565.00

Also, in the same section for the fiscal year ending September 30, 1975, strike out the following words and figures:

"Total	"	10,065,000.00"
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and insert the following:

For transfer to the Law Enforcement Planning Agency to be used for matching funds	90,000.00	●
Total		10,155,000.00

And the amendment was adopted.

Yeas 58; Nays 23.

Yeas:

Messrs.:	Downing	Jackson	Reid (R)
Adams	Edwards	Jones (F)	Roberts
Agee	Ellis	King	Smith (K)
Bank	Erdreich	Kinsey	Stewart
Barkett	Falkenburg	McMillan	Stokes
Benton	Fite	McNair	Stubbs
Boutwell	Flippo	May	Taylor
Carnes	Grainger	Merrill	Therrell
Carter	Gray (F)	Mims	Timmons
Casey	Gray (D)	Nettles	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Harris	Owens	Warren
Connell	Headley	Perloff	Wise
Dill	Hill	Pruitt	Wynot
Doss	Hobbie	Reed (T)	—58

Nays:

Mr. Speaker	Cross	Hughes	Parker
Barron	Culver	Lang	Slate
Bassett	Drake	Lutz	Turner
Brassell	Gafford	McDonald	Williams
Callahan	Hardin	Meeks	Wood
Crawford	Hearn	Naramore	—23

MOTION TO RECESS LOST

The motion of Mr. Crawford that the House recess for thirty minutes was lost.

H. 321 CONTINUED

Mr. Mims offered the following amendment #2 to the bill, H. 321 as amended:

In Section 2. III. F. (15) BOARD OF CORRECTION: For the fiscal year ending September 30, 1974 at the end of the words "For other expenses"

JOURNAL OF THE HOUSE, 1973
5th Day

strike out the numbers "4,500,000.00" and insert in lieu thereof 6,816,500.00 and change the total of "9,985,000.00" to 12,301,500.00.

Also, in the same section for the fiscal year ending September 30, 1975 at the end of the words "For other expenses" strike out the numbers "4,250,000.00" and insert in lieu thereof 5,617,339.00 and change the total of "10,065,000.00" to 11,432,339.00.

AMENDMENT LOST

And the amendment was lost.

Yeas 34; Nays 44.

Yeas: ●

Messrs.:	Culver	McMillan	Smith (K)
Agee	Doss	McNair	Stewart
Bank	Easters	May	Stokes
Barkett	Ellis	Mims	Taylor
Burgess	Erdreich	Nettles	Timmons
Carnes	Falkenburg	Perloff	Waldrop
Chesnut	Gray (F)	Pruitt	Warren
Connell	Hale	Reed (T)	Wise
Crowe	Hobbie	Roberts	

—34

Nays:

Mr. Speaker	Cottingham	Headley	Merrill
Adams	Crawford	Hearn	Naramore
Barron	Cross	Hill	Owens
Bassett	Dill	Jackson	Parker
Benton	Downing	King	Reynolds
Boutwell	Drake	Kinsey	Robertson
Brassell	Fite	Lutz	St. John
Callahan	Flippo	McCluskey	Slate
Carter	Gafford	McDonald	Turner
Casey	Grainger	Mathews	Williams
Collins	Hardin	Meeks	Wood

—44

Mr. Grainger offered the following amendment #1 to the bill, H. 321 as amended:

Amend Section 2 (III) (23) (o) by adding at the end of the section the following: "Water Improvement Commission: For salaries, other expenses, equipment purchases, automotive equipment purchases and contracts for stream studies, conditional upon the condition of the treasury and with the approval of the Governor, \$100,000.00".

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 61; Nays 5.

Yeas:

Messrs.:	Bassett	Carter	Crowe
Agee	Brassell	Casey	Dill
Barkett	Burgess	Chesnut	Doss
Barron	Carnes	Cross	Downing

REGULAR SESSION
5th Day

557

Drake	Hearn	Pruitt	Taylor
Easters	Hill	Reed (T)	Timmons
Edwards	Hughes	Reid (R)	Turner
Ellis	King	Reynolds	Waggoner
Erdreich	Kinsey	Roberts	Waldrop
Falkenburg	McBride	Robertson	Wallace
Flippo	McDonald	St. John	Weeks
Grainger	McMillan	Slate	Williams
Gray (F)	McNair	Smith (P)	Wise
Grey (D)	Merrill	Stewart	Wood
Hale	Nettles	Stokes	Wynot
Hardin	Perloff		

—61

Nays:

Messrs.:	Collins	Naramore	Parker
Benton	Gafford		

—5

Mr. Grainger offered the following amendment #2 to the bill, H. 321 as amended:

Amend the substitute for H. B. 321 by striking the figure "\$160,000.00" contained in Section III, (32) page 13, and insert in lieu the figure "\$360,000.00."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 84; Nays 2.

Yeas:

Mr. Speaker	Crowe	Hobbie	Reid (R)
Adams	Culver	Hughes	Reynolds
Agee	Doss	Jones (F)	Roberts
Barkett	Downing	King	Robertson
Barron	Drake	Kinsey	St. John
Bassett	Easters	Lang	Slate
Benton	Edwards	Lutz	Smith (K)
Boutwell	Ellis	McBride	Smith (P)
Bowers	Erdreich	McCluskey	Stewart
Brassell	Falkenburg	McDonald	Stokes
Burgess	Fite	McMillan	Taylor
Carnes	Flippo	McNair	Timmons
Carter	Goodwin	Manley	Turner
Casey	Grainger	Meeks	Turnham
Chesnut	Gray (F)	Merrill	Waggoner
Collins	Grey (D)	Naramore	Waldrop
Connell	Hale	Nettles	Wallace
Coshatt	Hardin	Parker	Weeks
Cottingham	Harris	Perloff	Williams
Crawford	Hearn	Pruitt	Wood
Cross	Hill	Reed (T)	Wynot

—84

Nays: Messrs. Dill and Gafford.

—2

Mr. Easters offered the following amendment to the bill, H. 321 as amended:

Add the following words to the end of Section 2. III. A. (23) (i) on page 11, viz:

It is the intent of the Legislature that in addition to other services provided, this appropriation shall include complete optometric services which includes the providing, prescribing, procurement and dispensing of corrective eyeglasses by each provider of service. These services are to be administered and paid for on a usual customary reasonable fee basis as paid other providers of services and are to be provided without prior approval by the administering agency. A condition of this appropriation is that such complete optometric services be provided from the funds hereby appropriated.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hobbie	Reid (R)
Adams	Cross	Hughes	Roberts
Agee	Crowe	Jackson	Robertson
Barkett	Doss	Kinsey	St. John
Barron	Downing	Lang	Slate
Bassett	Drake	Lutz	Smith (K)
Benton	Easters	McBride	Smith (P)
Boutwell	Edwards	McCluskey	Stewart
Bowers	Ellis	McDonald	Stokes
Brassell	Fite	McMillan	Taylor
Burgess	Flippo	McNair	Timmons
Carnes	Gafford	Manley	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Naramore	Waggoner
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	O'Daniel	Williams
Connell	Hardin	Perloff	Wise
Coshatt	Hearn	Pruitt	Wood
Cottingham	Hill	Reed (T)	Wynot

—76

Messrs. Stewart and Burgess offered the following amendment to the bill, H. 321 as amended:

In Section 2, III, A., (17) Alabama Development Office (on page 8), strike the following words and figures:

For transfer to Alabama Development Office for operations	1,268,000.00
For transfer to Alabama Development Office for operations conditional upon the condition of the treasury and approval of the Governor:	
For the fiscal year ending September 30, 1974	982,421.00
For the fiscal year ending September 30, 1975	1,060,800.00

and insert in lieu thereof the following words and figures:

For transfer to Alabama Development Office for operations	1,268,000.00
---	--------------

For transfer to Alabama Development Office, conditional upon the failure of the United States Congress to fund programs previously funded for Alabama Development Office by the federal government

For the fiscal year ending September 30, 1974	982,421.00
and for the fiscal year ending September 30, 1975	1,060,800.00

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 72; Nays 3.

Yeas:

Messrs.:	Doss	Hughes	Roberts
Adams	Downing	Jackson	Robertson
Barkett	Drake	King	St. John
Barron	Easters	Lang	Slate
Bassett	Edwards	Lutz	Smith (K)
Boutwell	Ellis	McBride	Smith (P)
Bowers	Falkenburg	McDonald	Stewart
Burgess	Fite	McMillan	Stokes
Carnes	Flippo	McNair	Taylor
Carter	Gafford	Manley	Timmons
Casey	Grainger	Merrill	Turnham
Cauthen	Gray (F)	Mims	Waggoner
Chesnut	Grey (D)	Naramore	Waldrop
Collins	Hale	Nettles	Wallace
Connell	Hardin	Pruitt	Warren
Coshatt	Hearn	Reed (T)	Weeks
Cottingham	Hill	Reid (R)	Wise
Crawford	Hobbie	Reynolds	Wynot
Crowe			—72

Nays:

Messrs.:	Brassell	Headley	Perloff
			—3

Mr. Kinsey offered the following amendment to the bill, H. 321 as amended:

Delete the following words and figures that appear at the end of Section 2, III, B. (5) on page 19, viz: "For equipment purchases 3,700.00
Total60,000."

and substitute in lieu thereof the following:

For equipment purchases	8,200.00
Total	64,500.00

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 77; Nays 4.

Yeas:

Mr. Speaker	Cross	Hobbie	Robertson
Adams	Crowe	Hughes	St. John
Agee	Doss	Jackson	Slate
Barkett	Downing	King	Smith (K)
Barron	Drake	Kinsey	Smith (P)
Bassett	Easters	Lang	Stewart
Benton	Edwards	McBride	Stokes
Boles	Ellis	McDonald	Stubbs
Boutwell	Falkenburg	McMillan	Taylor
Bowers	Fite	McNair	Timmons
Brassell	Flippo	Manley	Turner
Callahan	Goodwin	May	Waggoner
Carnes	Grainger	Merrill	Waldrop
Carter	Gray (F)	Naramore	Wallace
Casey	Grey (D)	Nettles	Warren
Chesnut	Hardin	Owens	Weeks
Collins	Harris	Pruitt	Wise
Coshatt	Headley	Reid (R)	Wood
Cottingham	Hearn	Roberts	Wynot
Crawford			

—77

Nays:

Messrs.:	Hill	Lutz	Parker
Dill			

—4

Mr. Connell offered the following amendment to the bill, H. 321 as amended:

Amend Substitute H B 321 by adding in Section III, E (59) page 21 the following words and figures:

"For the National Peanut Festival Association10,000.00"

And the amendment was adopted.

Yeas 54; Nays 11.

Yeas:

Messrs.:	Coshatt	Jackson	Slate
Adams	Cottingham	Lang	Smith (K)
Agee	Downing	McBride	Smith (P)
Barkett	Easters	McMillan	Stokes
Bassett	Edwards	McNair	Stubbs
Boles	Falkenburg	Manley	Timmons
Boutwell	Fite	May	Turner
Brassell	Flippo	Merrill	Waldrop
Callahan	Gray (F)	Naramore	Wallace
Carnes	Grey (D)	O'Daniel	Warren
Carter	Hardin	Owens	Williams
Casey	Headley	Reid (R)	Wise
Chesnut	Hobbie	Roberts	Wynot
Connell	Hughes	Robertson	

—54

Nays:

Messrs.:	Gafford	Hill	Meeks
Barron	Hale	King	Nettles
Dill	Hearn	Lutz	Parker

—11

REGULAR SESSION
5th Day

561

Mr. Mims offered the following amendment #3 to the bill, H. 321 as amended:

In Section 2, III, F., (4) (a) Agriculture and Industries, page 26 of the bill, for the fiscal year ending September 30, 1974, strike the following:

For other salaries 2,200,000.00

and insert in lieu thereof, the following words and figures:

For other salaries 2,243,290.00

In the same section and on the same page strike the following words and figures:

For other expenses 900,000.00

and insert in lieu thereof, the following words and figures:

For other expenses 930,000.00

In the same section and on the same page, strike the following words and figures:

Total 3,458,650.00

and insert in lieu thereof, the following words and figures:

Total 3,531,940.00

In the same section for the fiscal year ending September 30, 1975, on page 27, strike the following words and figures:

For other salaries 2,400,000.00

and insert in lieu thereof, the following words and figures:

For other salaries 2,446,620.00

In the same section and on the same page strike the following words and figures:

Total 3,691,300.00

and insert in lieu thereof, the following words and figures:

Total 3,737,920.00

And the amendment was adopted.

Yeas 39; Nays 33.

Yeas:

Messrs.:	Coshatt	Goodwin	Reynolds
Agee	Cross	Gray (F)	Roberts
Barkett	Crowe	Grey (D)	Smith (K)
Benton	Doss	Headley	Smith (P)
Boutwell	Downing	Kinsey	Stokes
Burgess	Easters	May	Stubbs
Carnes	Edwards	Merrill	Turnham
Carter	Ellis	Mims	Warren
Chesnut	Falkenburg	Perloff	Wise
Connell	Fite	Reid (R)	Wynot

5th Day

Nays:

Mr. Speaker	Gafford	McCluskey	Pruitt
Adams	Grainger	McNair	St. John
Barron	Hardin	Manley	Slate
Brassell	Hearn	Meeks	Stewart
Casey	Hill	Naramore	Taylor
Collins	Hughes	Nettles	Timmons
Cottingham	King	Owens	Turner
Crawford	Lutz	Parker	Williams
Dill			

—33

Mr. Erdreich offered the following amendment #3 to the bill, H. 321 as amended:

Amend Substitute for H B 321 by amending Section 2 (III) (A) (23) (a) on page 11 by changing the figure "\$320,000.00" to read "\$420,000.00."

AMENDMENT LOST

And the amendment was lost.

Yeas 12; Nays 64.

Yeas:

Messrs.:	Grainger	McMillan	Roberts
Boutwell	Jones (F)	McNair	Stokes
Carnes	King	Nettles	Weeks
Doss			

—12

Nays:

Mr. Speaker	Crowe	Hughes	Slate
Adams	Dill	Lang	Smith (K)
Agee	Drake	Lutz	Snell
Barkett	Easters	McBride	Stewart
Barron	Edwards	McCluskey	Stubbs
Bassett	Fite	McDonald	Taylor
Brassell	Flippo	Meeks	Therrell
Callahan	Gafford	Merrill	Timmons
Carter	Goodwin	Naramore	Turner
Casey	Grey (D)	O'Daniel	Turnham
Cauthen	Hardin	Owens	Waggoner
Collins	Harris	Parker	Wallace
Connell	Headley	Pruitt	Warren
Cottingham	Hearn	Reid (R)	Williams
Crawford	Hill	Reynolds	Wise
Cross	Hobbie	St. John	Wynot

—64

Mr. Cauthen offered the following amendment #1 to the bill, H. 321 as amended:

Amend Section 2, III, E, by striking therefrom (58) in its entirety and by renumbering subsequent sub-sections.

AMENDMENT ADOPTED

And the amendment was adopted.

REGULAR SESSION
5th Day

563

Yeas 81; Nays 5.

Yeas:

Mr. Speaker	Cottingham	Hill	Parker
Adams	Cross	Hobbie	Perloff
Agee	Dill	Hughes	Reid (R)
Barkett	Downing	Jackson	Reynolds
Barron	Drake	King	Roberts
Bassett	Easters	Kinsey	Robertson
Benton	Edwards	Lang	Smith (K)
Boles	Ellis	Lutz	Smith (P)
Boutwell	Erdreich	McBride	Stewart
Bowers	Fite	McCluskey	Stokes
Brassell	Flippo	McDonald	Stubbs
Burgess	Gafford	McMillan	Taylor
Callahan	Goodwin	McNair	Timmons
Carnes	Grainger	Manley	Turner
Carter	Gray (F)	May	Turnham
Casey	Grey (D)	Meeks	Waggoner
Cauthen	Hardin	Merrill	Wallace
Chesnut	Harris	Naramore	Warren
Collins	Headley	Nettles	Weeks
Connell	Hearn	Owens	Wise
Coshatt			—81

Nays:

Messrs.:	St. John	Snell	Williams
Pruitt	Slate		—5

Mr. Jones (F) offered the following amendment to the bill, H. 321 as amended:

Amend Section III (2) of substitute House Bill 321 by inserting \$250,000.00 in lieu of \$150,000.00 for the Governor's office Consumer Agency.

AMENDMENT LOST

And the amendment was lost.

Yeas 8; Nays 57.

Yeas:

Messrs.:	Coshatt	McMillan	Roberts
Barron	Jones (F)	Nettles	Robertson
Connell			—8

Nays:

Mr. Speaker	Crawford	Goodwin	King
Adams	Culver	Grainger	Lang
Agee	Dill	Gray (F)	Lutz
Barkett	Doss	Grey (D)	McBride
Bassett	Downing	Hardin	McCluskey
Brassell	Drake	Hearn	McDonald
Burgess	Erdreich	Hill	McNair
Carnes	Fite	Hobbie	Manley
Casey	Flippo	Hughes	Meeks
Cottingham	Gafford	Jackson	Merrill

5th Day

Naramore	Reid (R)	Snell	Turnham
Owens	Reynolds	Stewart	Waggoner
Parker	St. John	Therrell	Warren
Perloff	Smith (K)	Turner	Williams
Pruitt			

—57

Mr. Falkenburg offered the following amendment to the bill, H. 321 as amended:

To provide \$25,000 per year for the Birmingham Press Club.

AMENDMENT LOST

And the amendment was lost.

Yeas 2; Nays 67.

Yeas:

Messrs.:	Dill	Roberts	—2
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Nays:

Mr. Speaker	Downing	King	Reid (R)
Adams	Drake	Lang	Reynolds
Agee	Easters	Lutz	Robertson
Barkett	Edwards	McBride	St. John
Bassett	Fite	McCluskey	Slate
Boutwell	Gafford	McDonald	Smith (K)
Brassell	Goodwin	McMillan	Snell
Burgess	Grainger	Manley	Stokes
Carnes	Gray (F)	Meeks	Therrell
Carter	Gray (D)	Merrill	Timmons
Casey	Hardin	Naramore	Turner
Chesnut	Harris	Nettles	Turnham
Connell	Hearn	O'Daniel	Waggoner
Cottingham	Hill	Owens	Warren
Crawford	Hobbie	Parker	Williams
Cross	Hughes	Perloff	Wynot
Culver	Jackson	Pruitt	

—67

Mr. Carnes offered the following amendment to the bill, H. 321 as amended:

Amend substitute for H B 321, Section II, Judicial, (4) the Circuit Courts, by striking therefrom the words and figures, "For the Deputy District Attorneys of the 16th Judicial Circuit 6,000.00" where same appears and substitute in lieu therefor the following: "For the Deputy District Attorneys of the 16th Judicial Circuit 11,250.00."

AMENDMENT LOST

And the amendment was lost.

Yeas 11; Nays 58.

Yeas:

Messrs.:	Chesnut	Falkenburg	Smith (K)
Brassell	Crowe	Fite	Taylor
Carnes	Downing	Reid (R)	Wynot

—11

REGULAR SESSION
5th Day

565

Nays:

Mr. Speaker	Culver	Lang	Reynolds
Adams	Dill	Lutz	Robertson
Agee	Easters	McBride	St. John
Barkett	Flippo	McCluskey	Slate
Barron	Gafford	McDonald	Snell
Bassett	Goodwin	McNair	Stokes
Boutwell	Grainger	Manley	Stubbs
Bowers	Harris	Meeks	Therrell
Burgess	Headley	Merrill	Timmons
Carter	Hearn	Mims	Turner
Casey	Hill	Naramore	Turnham
Connell	Hobbie	Owens	Waggoner
Cottingham	Hughes	Parker	Warren
Crawford	Jackson	Pruitt	Wood
Cross	King		

—58

Mr. Cauthen offered the following amendment #2 to the bill, H. 321 as amended:

Amend Section 2, III, A, (40) (a) Spirit of America Festival, Inc., by striking the figures \$5,000 and by substituting the figures \$20,000.00.

AMENDMENT LOST

And the amendment was lost.

Yeas 27; Nays 46.

Yeas:

Messrs.:	Chesnut	Grainger	Slate
Adwell	Coshatt	Hale	Smith (K)
Benton	Cottingham	Kinsey	Stewart
Boutwell	Cross	McBride	Taylor
Carnes	Edwards	McDonald	Therrell
Carter	Falkenburg	Pruitt	Waggoner
Cauthen	Fite	Reid (R)	Williams

—27

Nays:

Mr. Speaker	Dill	Jackson	Parker
Adams	Easters	King	Reynolds
Bank	Flippo	Lang	Robertson
Barkett	Goodwin	Lutz	St. John
Barron	Grey (D)	McCluskey	Stokes
Bassett	Hardin	Meeks	Stubbs
Bowers	Harris	Merrill	Timmons
Burgess	Headley	Naramore	Turner
Casey	Hearn	Nettles	Turnham
Connell	Hill	O'Daniel	Warren
Crawford	Hobbie	Owens	Wynot
Culver	Hughes		

—46

MOTION TO POSTPONE TABLED

On motion of Mr. Mathews, the motion of Mr. Cauthen to postpone consideration of the bill, H. 321 as amended, to the eighth legislative day, was tabled.

H. 321 PASSED

And the bill, H. 321 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Roberts
Adams	Culver	Jackson	Robertson
Adwell	Dill	Jones (F)	St. John
Agee	Doss	King	Slate
Bank	Downing	Kinsey	Smith (K)
Barkett	Drake	Lang	Smith (P)
Barron	Easters	Lutz	Snell
Bassett	Edwards	McBride	Stewart
Benton	Ellis	McCluskey	Stokes
Boutwell	Erdreich	McDonald	Stubbs
Bowers	Falkenburg	Manley	Taylor
Brassell	Fite	Mathews	Therrell
Burgess	Flippo	May	Timmons
Callahan	Gafford	Meeks	Turner
Carnes	Goodwin	Merrill	Turnham
Carter	Grainger	Mims	Waggoner
Casey	Gray (F)	Naramore	Waldrop
Cauthen	Gray (D)	Nettles	Wallace
Chesnut	Hale	O'Daniel	Warren
Collins	Hardin	Owens	Weeks
Connell	Harris	Parker	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Pruitt	Wood
Crawford	Hill	Reid (R)	Wynot
Cross	Hobbie	Reynolds	

—99

ADJOURNMENT

On motion of Mr. Robertson, the House adjourned until 2:00 o'clock p.m., Wednesday, May 30, 1973.

SIXTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, May 30, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Chester H. Jernigan, Pastor, Forest Park Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McBride	Smith (K)
Bassett	Edwards	McCluskey	Smith (P)
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McDonald	Stokes
Boutwell	Falkenburg	McMillan	Stubbs
Bowers	Fite	McNair	Taylor
Brassell	Flippo	Manley	Therrell
Burgess	Gafford	Mathews	Timmons
Callahan	Goodwin	May	Turner
Carnes	Grainger	Meeks	Turnham
Carter	Gray (F)	Merrill	Waggoner
Casey	Grey (D)	Mims	Waldrop
Cauthen	Hale	Naramore	Wallace
Chesnut	Hardin	Nettles	Warren
Collins	Harris	O'Daniel	Weeks
Connell	Headley	Owens	Williams
Coshatt	Hearn	Parker	Wise
Cottingham	Hill	Perloff	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes	Reed (T)	

—103

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Doss, leave of absence was granted for Mr. Jones (E), due to illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifth legislative day was approved.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 314. (With Substitute): Relating to motor vehicles: To provide means for the recovery of stolen motor vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State Department of Revenue; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon; to grant certain powers and authority to and impose certain duties on the State Department of Revenue and to impose penalties for violations of this Act.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 753. To amend Title 13, Section 124, of the Code of Alabama (1940), which relates to the appointment of special circuit judges when the regular judge recuses himself or refuses to try a case.

H. 526. To provide further for the disposition and use of the profits, including all taxes levied upon the selling price of spirituous or vinous liquors and certain taxes on malt and brewed beverages; amending Act No. 255, H. 313 Regular Session of 1943 (General Acts 1943, p. 226) and Act No. 92, H. 101, Second Special Session of 1963 (Acts, Second Special Session 1963, p. 257) and repealing Code of Alabama 1940, Title 29, Sections 10 and 11 and all other laws in conflict herewith.

H. 493. To provide for the recovery of possession of personal property.

H. 759. To further amend Title 3, Section 11, Code of Alabama 1940, as amended, pertaining to cruelty to animals and providing punishment for violation of this act.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 371. (With Amendment): To provide for the granting of certain powers to testamentary trustees by reference to the provisions of this Act.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 404. To provide a uniform procedure for the adoption of rules by state administrative agencies, and for the review of state agency rules and determinations.

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 317. To provide that all contracts of insurance or policies of insurance or plans or agreements for health services issued or delivered in this State shall cover and include the services of Chiropractors.

H. 316. To amend Act No. 107, H.B. 151, approved August 26, 1959 (Acts 1959, v. 1, p. 604), an act providing regulations governing the qualifications and eligibility of persons to engage in or be admitted to the practice of the healing arts.

H. 313. To name the fieldhouse at Ohatchee High School located in Calhoun County in honor of S. Gerald Acker.

H. 683. To re-name the Moody Junior High School in Moody, Alabama, after H. L. Blocker.

H. 48. To provide that all guards employed by the State in the Capitol area complex shall be granted the power and authority of deputy sheriffs and state law enforcement officers to enforce the laws of this State and to provide further that they shall be deemed "peace officers" under provisions of Act No. 999 of the Regular Session of the Alabama Legislature, 1969 (Alabama Peace Officers' Annuity and Benefit Fund Act).

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 209. To amend Section 11 of Act No. 492 of the General Acts of the Regular Session of the Alabama Legislature of 1947, to provide that after fifty percent completion has been accomplished no further retainage will be withheld.

H. 230. To regulate further license plates or tags for motor vehicles, directing the commissioner of revenue to design license plates or tags so as to adapt to Alabama the registration (license plate) numbering system developed by the American Association of Motor Vehicle Administrators.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 471. To amend the title, Sections 2 and 3 of Act No. 1793, H. 1968, 1971 Regular Session (1971 Acts, p. 2961), entitled "An Act Relating to counties having a population of not less than 33,550 nor more than 34,000 according to the most recent federal decennial census; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act."

H. 641. Relating to counties having a population of not less than 33,550 nor more than 34,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 648. To prohibit the consumption of alcoholic beverages on the premises of retail licensee in Conecuh County unless the premises have been issued a restaurant, hotel or club liquor license by the Alcoholic Beverage Control Board of the State of Alabama; and prescribing penalties therefor.

H. 652. Relating to counties having a population of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census, so as to authorize the county commission of such counties to pay from the general funds of the county the salary or salaries of any additional clerks hired for the various elected officials of such counties.

H. 698. Relating to counties having a population of not less than 22,000 nor more than 22,500 residents according to the most recent federal decennial census, to confer discretionary authority upon the governing body of such counties to appropriate from the general fund of the county sums of money, not to exceed five hundred dollars, and not to exceed one thousand dollars for any one year, for the payment of certain equitable and moral claims against such counties.

H. 708. Applying to DeKalb County, authorizing the governing body of DeKalb County to designate and set up certain projects relating to construction of roads and bridges in DeKalb County.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 227. Relating to Madison County; authorizing the clerk of the county court to destroy certain files and records in all civil and criminal cases after a certain period of time and providing for an official record of said files and records.

H. 229. Relating to the Circuit Court of Madison County; to authorize the clerk of said court to destroy certain files and records in all civil and criminal cases after a certain period of time and providing for an official record of said files and records.

H. 369. To authorize cities having a population of not less than 135,000 nor more than 185,000 inhabitants according to the most recent federal decennial census, to make grants to certain corporations in order to foster economic development in such cities.

H. 598. Pertaining to Madison County; to authorize the governing body of said county to appropriate funds for the use and benefit of Fellowship Center, Inc., a non-profit corporation, formerly known as Senior Citizens Activities Center Huntsville-Madison County, Alabama, a non-profit corporation.

H. 599. Relating to Madison County, to authorize the governing body of said county to pay certain expenses incurred by the Probate Judge, Tax Assessor and Tax Collector of said county in connection with their duties.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. McCorquodale, Dill, Wood and Connell:

H. 761. Relating to the teaching of optometry; defining profession and practice of optometry; and authorizing the State Board of Optometry to issue teaching permits to teach the profession and practice of optometry under certain conditions.

Health.

By Messrs. McCorquodale, Dill, Wood and Connell:

H. 762. Relating to the profession and practice of optometry; amending Sections 197 and 205 of Title 46, Code of Alabama of 1940 (as previously amended); providing for the examination and licensing of optometrists; providing for the issuance of license certificates and annual registration certificates; prescribing the qualifications of persons who may apply for licensing; providing for the collection and disbursement of examination and other fees and charges; providing for continuing education as a prerequisite for annual registration certificates.

Health.

By Messrs. McCorquodale and Agee:

H. 763. To amend further Section 1 of Act No. 1170, S. 674, Regular Session 1969 (Acts 1969, p. 2179) as amended, which provides for the regulation of annual salaries of sheriffs of the several counties of the state, classified on a population basis, with compensation being on a salary basis, so as to provide that in all counties having a population of not less than 26,000 nor more than 26,800, the annual salary of the sheriff shall be not less than \$13,000 nor more than \$15,000.

Local Legislation No. 1.

By Messrs. Owens, Stubbs, Turner, Gafford, Cottingham, Pruitt, Manley, Timmons, Erdreich, Adwell, Ellis, Boles, Wallace, Bowers, Doss and Crowe:

H. 764. To amend Section 4 of Act No. 1260, S. 79, Regular Session 1971 (Acts 1971, p. 2175), which Act provides for water pollution control and establishes the Water Improvement Commission, so as to provide that the Cahaba River will be classified as fit for swimming, or an equal or higher classification, and be afforded the protection provided to such classification.

Conservation.

By Messrs. Carter, Cauthen, Slate, Grainger, Cross, Hill and Flippo:

H. 765. To make unlawful the selling of certain game fish caught or taken from any of the fresh waters of this or any other state, prescribing the penalty therefor.

Conservation.

By Mr. Carter (With Notice and Proof):

H. 766. To provide for the compensation of jurors in Limestone County.

Local Legislation No. 1.

Notice and Proof H. 766:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of jurors in Limestone County.

Be It Enacted by the Legislature of Alabama:

Section 1. All grand and petit jurors, serving in Limestone County are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the Clerk of the court. The Clerk shall give each juror a certificate, stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues payable out of the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bob Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Athens News Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 27th day of April, and 4th, 11th, and 18th day of May, all in the year 1973.

BOB BRYAN.

Sworn to and subscribed before me on this 23rd day May, 1973.

EDNA B. BRACKEEN,
Records.

By Mr. Carter (With Notice and Proof):

H. 767. Relating to Limestone County to repeal Act No. 83, H. 327, 1959 Regular Session (Acts of 1959, p. 499), entitled "An Act To regulate,

define and license the practice of barbering in Limestone County, Alabama; to provide rules and regulations concerning sanitation and cleanliness in and about barber shops in said county; to create a board of barber examiners for said county, and define its powers and duties; to fix the punishment for the violation of the provisions of this Act."

Local Legislation No. 1.

Notice and Proof H. 767:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County to repeal Act. No. 83, H. 327, 1959 Regular Session (Acts of 1959, p. 499), entitled "An Act To regulate, define and license the practice of barbering in Limestone County, Alabama; to provide rules and regulations concerning sanitation and cleanliness in and about barber shops in said county; to create a board of barber examiners for said county, and define its powers and duties; to fix the punishment for the violation of the provisions of this Act."

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 83, H. 327, 1959 Regular Session, (Acts of 1959, p. 499) entitled "An Act To regulate, define and license the practice of barbering in Limestone County, Alabama; to provide rules and regulations concerning sanitation and cleanliness in and about barber shops in said county; to create a board of barber examiners for said county, and define its powers and duties; to fix the punishment for the violation of the provisions of this Act", is hereby repealed.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bob Bryan, who, being by me first duly sworn, deposes and say that during the times herein mentioned he was Publisher of the Athens News Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 27th day of April, and 4th, 11th, and 18th day of May, all in the year 1973.

BOB BRYAN.

Sworn to and subscribed before me on this 23rd day May, 1973.

EDNA B. BRACKEEN,
Records.

By Mr. Carter (With Notice and Proof):

H. 768. To amend Section 18 of Act No. 403, H. 330, 1971 Regular Session, (Acts of 1971, p. 689) as amended, entitled "An Act Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this act a State Board of Barber Examiners, and defining violation of this act and prescribing penalties therefor" so as to delete Limestone County from the list of counties to which this act does not apply.

Local Legislation No. 1.

Notice and Proof H. 768.

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit: SYNOPSIS: This bill amends the state-wide barbering bill so as to place Limestone County back under the provisions of this state-wide act.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 18 of Act. No. 403, H. 330, 1971 Regular Session, (Acts of 1971, P. 689) as amended, entitled "An Act Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this act a State Board of Barber Examiners, and defining violation of this act and prescribing penalties therefor" so as to delete Limestone County from the list of counties to which this act does not apply.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 18 of Act No. 403, H. 330, 1971 Regular Session (Acts of 1971, p. 689) as amended, is hereby further amended to read as follows:

"Section 18. The provisions of this act shall not apply to Morgan, Conecuh, Wilcox or Baldwin Counties."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bob Bryan, who, being by me first duly

sworn, deposes and says that during the times herein mentioned he was publisher of the Athens News Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 27th day of April, and 4th, 11th, and 18th day of May, all in the year 1973.

BOB BRYAN.

Sworn to and subscribed before me on this 23rd May, 1973.

EDNA B. BRACKEEN,
Records.

By Mr. Carter (With Notice and Proof):

H. 769. Relating to Limestone County; to authorize the county governing body to print and sell a book about the history of Limestone County.

Local Legislation No. 1.

Notice and Proof H. 769:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County; to authorize the county governing body to print and sell a book about the history of Limestone County.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Limestone County is hereby authorized and empowered to cause to be printed a book about the history of Limestone County and they are further authorized to sell such book and to place any profit therefrom in the general fund of the county. The county governing body is hereby authorized and empowered to expend such sums as is necessary to carry out the provisions of this Act from the general fund of the county.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bob Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Athens News Courier, a newspaper of general circulation pub-

lished in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 27th day of April, and 4th, 11th, and 18th day of May, all in the year 1973.

BOB BRYAN.

Sworn to and subscribed before me on this 23rd day of May, 1973.

EDNA B. BRACKEEN,
Records.

By Mr. Carter (With Notice and Proof):

H. 770. Relating to Limestone County; providing that the governing body of Limestone County may provide for the burial or burning of dead cattle, swine, livestock or other such animals when the owner or custodian of the animal fails to do so.

Local Legislation No. 1.

Notice and Proof H. 770:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County; providing that the governing body of Limestone County may provide for the burial or burning of dead cattle, swine, livestock or other such animals when the owner or custodian of the animal fails to do do.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby declared to be in the best interest of the public health and welfare that the governing body of Limestone County may provide for the burial or burning of dead cattle, swine, livestock or other such animals when the owner or custodian of such animals fails to do so, and the governing body of such county is hereby authorized to make provisions for such burying or burning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bob Bryan, who, being by me first duly

REGULAR SESSION
6th Day

577

sworn, deposes and says that during the times herein mentioned he was Publisher of the Athens News Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 27th day of April, and 4th, 11th, and 18th day of May, all in the year 1973.

BOB BRYAN.

Sworn to and subscribed before me on this 23rd day of May, 1973.

EDNA B. BRACKEN,
Records.

By Messrs. Wise and Jackson:

H. 771. To apply only in counties having a population of not less than 21,000 nor more than 22,000 inhabitants; providing for additional expense allowances for members of the board of equalization payable from the general funds of the county.

Local Legislation No. 1.

By Messrs. Timmons, Hobbie, Adwell, Dill, Wallace, Ellis, Falkenburg, Hughes, McMillan, McBride and Hale:

H. 772. To establish definitions for the term short-barreled shotgun, and to provide penalties for the possession of said weapon.

Judiciary.

By Messrs. Timmons, Falkenburg, Dill, Doss, Hughes and McBride:

H. 773. To authorize county and municipal governments of counties with a population of more than 600,000 to enter into contract providing for the Sheriff to furnish police protection within a municipality of the county on a contract basis. To further authorize municipalities entering into such a contract police agreement to pay over to the county treasury monies sufficient to reimburse the county treasurer for expenditures necessary to provide contract policing.

Local Legislation No. 2.

By Messrs. Timmons, Ellis, Adwell, Jones (E), McMillan, Dill, Gafford, Falkenburg, Erdreich, Doss, Weeks, McBride, Boutwell, Waggoner, Boles, Wallace and Hughes:

H. 774. Relating to crimes and offenses; prohibiting the giving of false information, falsely reporting a crime, or making a false allegation against a law enforcement officer; prescribing penalties.

Judiciary.

By Messrs. Timmons, Ellis, Adwell, Jones (E), McMillan, Dill, Gafford, Falkenburg, Waggoner, Doss, Weeks, McBride, Boutwell, Boles, Wallace and Hughes:

H. 775. To prohibit the false personation of a peace officer and to provide a penalty therefore.

Judiciary.

By Messrs. Timmons, Ellis, Adwell, Jones (E), Dill, Falkenburg, Doss, Weeks, McBride, Boutwell, Waggoner, Boles, Wallace, McNair and Hughes:

H. 776. To fix the compensation or salary of the Assistant to the Sheriff of any branch office of the Sheriff in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof; and to change the designation of said office to "Assistant Sheriff".

Local Legislation No. 2.

By Messrs. Dill, Falkenburg, Doss, Erdreich and Boutwell:

H. 777. To amend Section 2 of Act No. 106 adopted at the 1959 Regular Session of the Legislature of the State of Alabama so as to exclude from the definition of the practice of the healing arts, for purposes of said Act No. 106, as amended, the work performed under certain conditions by fellows, residents, interns or medical students who are employed by, or who are taking courses of instruction or training at, any facility of The University of Alabama School of Medicine or any other medical school, hospital or institution in a program supervised by the faculty of said School of Medicine.

Health.

By Messrs. Dill, Falkenburg, Doss, Erdreich and Boutwell:

H. 778. To amend Section 12 of Act No. 107 adopted at the 1959 Regular Session of the Legislature of the State of Alabama so as to exempt from the criminal penalties provided therein the work performed under certain conditions by fellows, residents, interns or medical students who are employed by, or who are taking courses of instruction or training at, any facility of The University of Alabama School of Medicine or any other medical school, hospital or institution in a program supervised by the faculty of said School of Medicine.

Health.

By Messrs. Dill, Falkenburg, Doss, Erdreich and Boutwell:

H. 779. To amend Section 262 of Title 46 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from the criminal penalties provided therein the work performed under certain conditions by fellows, residents, interns or medical students who are employed by, or who are taking courses of instruction or training at, any facility of The University of Alabama School of Medicine or any other medical school, hospital or institution in a program supervised by the faculty of said School of Medicine.

Health.

By Messrs. Boutwell, Boles, Doss, Falkenburg, McBride, Gafford, Hughes, Adwell, Wallace, Dill, Timmons, McMillan and Meeks (With Notice and Proof):

H. 780. To establish an Inferior Court in Precincts 1 and 2 in Jefferson County, Alabama, in lieu of all Justices of the Peace in Precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County

Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

Local Legislation No. 2.

Notice and Proof H. 780:

NOTICE

There will be introduced at the Alabama Legislature the following bill to become a Local Act:

A BILL
TO BE ENTITLED
AN ACT

To establish an Inferior Court in Precincts 1 and 2 and all other precincts lying within or partly within the Bessemer Division of Jefferson County, Alabama, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer County Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the method of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared John M. McElroy, Who being duly sworn, says on oath that he is Editor—Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: March 23, 30, and April 6, 13, 1973.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been

mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

JOHN M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 13th day of April, 1973.

JOHN E. SMITH,
Notary Public.

By Messrs. Falkenburg, Dill, Timmons, McMillan, Hughes, Boutwell, Doss, McBride, Wallace, Adwell, Meeks, Ellis, Waggoner, Boles and Erdreich
(With Notice and Proof):

H. 781. To fix the compensation or salary of the Judges of the Criminal Court of Jefferson County and to regulate the payment of salaries of said Judges.

Local Legislation No. 2.

Notice and Proof H. 781:

LEGAL NOTICE

STATE OF ALABAMA JEFFERSON COUNTY

Notice is hereby given that a bill will be introduced at the next regular session, or special session, of the Alabama Legislature for the passage of an Act to fix the compensation or salaries of the Judges of the Civil Court of Jefferson County and to regulate the payment of the salaries of said Judges, effective at the beginning of the next term of office of said Judges.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor Abercrombie Foster who, by me duly sworn, deposes and says that she is the Publisher of Alabama Messenger, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of General Circulation, published and printed in Jefferson County, Alabama, and which has been in continuous weekly publication since 1918, and that there was published in said newspaper in the issues of April 28, and May 5, 12, 19, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 21st day of May, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

REGULAR SESSION
6th Day

581

By Messrs. Falkenburg, Dill, Timmons, McMillan, Hughes, Boutwell, Doss, McBride, Adwell, Wallace, Meeks, Ellis, Waggoner, Boles and Erdreich (With Notice and Proof):

H. 782. To fix the compensation or salary of the Judges of the Civil Court of Jefferson County and to regulate the payment of salaries of said Judges.

Local Legislation No. 2.

Notice and Proof H. 782:

LEGAL NOTICE

STATE OF ALABAMA
JEFFERSON COUNTY

Notice is hereby given that a bill will be introduced at the next regular session, or special session, of the Alabama Legislature for the passage of an Act to fix the compensation or salaries of the Judges of the Civil Court of Jefferson County and to regulate the payment of the salaries of said Judges, effective at the beginning of the next term of office of said Judges.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor Abercrombie Foster who, by me duly sworn, deposes and says that she is the Publisher of Alabama Messenger, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of general circulation, published and printed in Jefferson County, Alabama, and which has been in continuous weekly publication since 1918, And that there was published in said newspaper in the issues of April 28, and May 5, 12, 19, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 21st day of May, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. McBride and Ellis:

H. 783. To amend Code of Alabama 1940, Title 52, Section 41, as amended, which section relates to the appointment, term, qualifications and salary of the state superintendent of education, so as to further regulate the salary of said superintendent and to authorize the state board of education to negotiate and enter into a contract with said superintendent for a certain term.

Education.

By Messrs. Gafford, Dill, Doss, Boutwell, Boles, McBride, McMillan, Falkenburg, McNair, Hughes, Timmons, Adwell, Meeks, Ellis and Wallace:

H. 784. To fix and provide for the salary of the tax assessor in each county of the state having a population of 600,000 or more, according to the last or any subsequent federal census.

Local Legislation No. 2.

By Messrs. Doss, Gafford, McMillan, Dill, Hughes, Timmons, Falkenburg, Erdreich, Boutwell, Boles, McNair, McBride, Wallace, Adwell and Ellis:

H. 785. To amend Section 3.07 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

Local Legislation No. 2.

By Messrs. Doss, Bank, Gafford, Stewart, Erdreich, Adwell, Wallace, Falkenburg, Ellis and Waggoner:

H. 786. Declaring privileged the decisions, opinions, actions and proceedings of committees of dentists formed or appointed as Utilization Review Committees and Peer Review Committees and similar committees and exempting the members thereof from liability when acting in good faith and without malice and on facts reasonably known or believed to exist.

Health.

By Messrs. Boles, Hughes, McBride, Doss, Boutwell, Gafford, McMillan, Falkenburg, McNair, Wallace, Dill and Timmons (With Notice and Proof):

H. 787. To provide for the compensation to be paid the First Assistant Deputy District Attorney and the Second Assistant Deputy District Attorney in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census where the Deputy District Attorney is elected by the people and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Ways and Means.

Notice and Proof H. 787:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation to be paid the First Assistant Deputy District Attorney and the Second Assistant Deputy District Attorney in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census where the Deputy District Attorney is elected by the people and to provide for the payment of the same and to provide the date when said Act shall go into effect.

SECTION 1. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last of any succeed-

ing decennial federal census, where the Deputy District Attorney is elected by the people, there shall be paid to the First Assistant Deputy District Attorney of each said county from the general treasury of the county in equal bi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to the First Assistant Deputy District Attorney, the same will make the total annual salary of the First Assistant Deputy District Attorney Seventeen Thousand Five Hundred Dollars (\$17,500.00).

SECTION 2. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census, where the Deputy District Attorney is elected by the people, there shall be paid to the Second Assistant Deputy District Attorney of each said county from the general treasury of the county in equal bi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to the Second Assistant Deputy District Attorney, the same will make the total annual salary of the Second Assistant Deputy District Attorney Seventeen Thousand Five Hundred Dollars (\$17,500.00).

SECTION 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

SECTION 4. All laws or parts of laws which conflict with this Act are repealed.

SECTION 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: John M. McElroy, Who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: April 27, May 4, 11, 18, 1973.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

JOHN M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 18th day of May, 1973.

JOHN E. SMITH,
Notary Public.

By Messrs. Hearn, Grainger, King, Lutz and Hale:

H. 788. To make it a criminal offense for any person to wilfully violate any written bail bond given to secure such person's appearance to answer charges in any felony cases and to provide punishment for said offense.

Judiciary.

By Messrs. Hearn, Grainger, King, Lutz and Hale:

H. 789. To provide that it shall be a felony for any person to forge or counterfeit a driver's license and to provide punishment for said crime.

Judiciary.

By Messrs. Hobbie, Easters, Barron, Headley, Timmons, Warren, Taylor, Harris, Jones (F) and Adwell:

H. 790. To amend further Act No. 999, H. 288, of the Regular Session 1969 (Acts 1969, p. 1855), as amended, which act creates the Alabama Peace Officers Retirement System, amending sections 3, 8, 10, 11, and 14 thereof; so as to provide for increased compensation to board members; to modify the provisions for eligibility and monthly charges as relates to the membership in the retirement fund; and to make various modifications relating to retirement benefits, disability payments, and refunds pursuant to such retirement fund.

Ways and Means.

By Mr. Wood:

H. 791. Relating to the preservation of the salt water beaches of this state, making it a misdemeanor to drive a vehicle upon such beaches.

State Administration.

By Messrs. Hale, Harris, Erdreich, McBride, Hearn, King and Nettles:

H. 792. To regulate and control political campaign contributions and expenditures; to create a state elections commission and prescribe its compensation, functions, powers and duties; to make an appropriation to said commission out of the state general fund; prescribing penalties for the violation of the provisions of this Act.

Judiciary.

By Messrs. McCluskey, Casey, Coshatt, Taylor, Nettles, Crowe, Easters, Wise, Barkett, Roberts, Brassell, Mims, Stokes, Fite, Grey (D) and Waggoner:

H. 793. To amend Section 12, of Title 48, of the Code of Alabama, 1940, as amended, which fixes the compensation of the president and the associate members of the Alabama Public Service Commission.

Ways and Means.

By Messrs. McCluskey, Coshatt, Taylor, Nettles, Crowe, Wise, Barkett, Roberts, Brassell, Mims, Fite and Waggoner:

H. 794. To provide retirement benefits for members of the Alabama Public Service Commission.

Ways and Means.

By Messrs. Jones (F), Taylor, Owens and Wynot:

H. 795. Relating to mobile home safety, making it unlawful to occupy a mobile home unless it is anchored to resist certain wind loads; providing the Alabama State Fire Marshal with authority to promulgate rules and regulations to enforce this act and providing criminal penalties for its violation.

Public Welfare.

By Messrs. Jones (F), Taylor and Harris:

H. 796. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 70,000 nor more than 135,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

Local Legislation No. 4.

By Messrs. Stewart, Merrill and Burgess:

H. 797. Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census; to provide for an annual expense allowance for the sheriff of such counties, and providing for retroactive effect.

Local Legislation No. 1.

By Messrs. Merrill, Stewart and Burgess:

H. 798. Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census; to provide for an annual expense allowance for the remaining terms of office of certain officials of said counties, and providing for retroactive effect.

Local Legislation No. 1.

By Messrs. Falkenburg, Dill, Timmons, Lutz, Bank, Perloff, Culver, Connell, Stokes, Erdreich, McMillan, Hughes, Boutwell, Doss, Adwell and Roberts:

H. 799. To authorize and provide for the taking of depositions of courts of foreign jurisdiction and to provide the manner of compelling witnesses to appear and testify at such depositions.

Judiciary.

By Messrs. Taylor, Harris, Barron and Jones (F):

H. 800. To amend Title 13, Section 255, Code of Alabama, 1940, as amended, relating to the appointment of deputy district attorneys for the Fifteenth and Twenty-sixth Judicial Circuits of Alabama, and their salaries.

Ways and Means.

By Mr. Cauthen:

H. 801. Relating to the creation of the Alabama Legislative Retirement System, to provide for the administration of said system by the Board of Control of the Employees Retirement System of Alabama; to designate the powers and privileges which shall be enjoyed by such system; to determine the benefits, membership, creditable service, individual and state contributions and all other matters material to establishing such a system; to establish the office of Executive Secretary of said system; to allow the Board of Control to have certain powers over funds deposited in the system and to allow said board the right to provide certain actuarial and other services and to keep records of certain proceedings; to establish certain exemptions from taxes, sale, garnishment, attachment, and other processes for the funds in said system; and to provide penalties for the violation of certain provisions of this Act.

Ways and Means.

By Messrs. Bank, King, Flipppo, Hill, Roberts, Culver, Falkenburg, Robertson and Hearn:

H. 802. To provide for two additional members on the Mental Health Board, pursuant to Act No. 881, H. 699, Regular Session 1965 (Acts 1965, p. 1650), which act creates the Department of Mental Health and the Mental Health Board.

Health.

By Messrs. Cauthen, Smith (P), Edwards and Smith (K):

H. 803. To amend Sections 38, 39 and 51 of Title 18 of the Code of Alabama 1940, relating to electric cooperatives, so as to provide for the designation of a quorum at all meetings of the members, to provide for the board of trustees of the cooperative, and to provide for the encumbering of the property of the cooperative.

Agriculture.

UNANIMOUS CONSENT GRANTED

At the request of Mr. Stewart, unanimous consent was granted for his name to be removed as a co-sponsor of the bill, H. 406.

RESOLUTION

The following resolution was introduced:

By Mr. Connell:

H. J. R. 73. REQUESTING THE PRESENCE OF EACH MEMBER OF THE LEGISLATURE AND STAFF MEMBERS TO TOUR THE JOSEPH M. FARLEY NUCLEAR PLANT AND INFORMATION CENTER ON JUNE 13, 1973.

WHEREAS a beautiful new nuclear plant and information center, named the Joseph M. Farley Nuclear Plant and Information Center, is being built in Houston County. This beautiful new facility is of vital importance to each member of the Legislature and the citizens of the State of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That all members of the Legislature, including staff members, are cordially invited to tour the Joseph M. Farley Nuclear Plant and Information Center in Houston County on June 13, 1973.

On motion of Mr. Connell, the rules were suspended and the resolution, H. J. R. 73, was adopted.

RESOLUTIONS

The following resolutions introduced on the Fifth Legislative Day were read by title, pursuant to Joint Rule 12:

H. J. R. 67. Commending Richard W. Wolf on being included in the 1973 edition of *Outstanding Young Men of America*.

H. J. R. 68. Commending Joe C. Elliot on being included in the 1973 edition of *Outstanding Young Men of America*.

H. J. R. 69. Commending the people of the City of Hartford for its "Sister City" program. Providing for the adoption of the City of Litchfield, Minnesota, by the City of Hartford as a "Sister City."

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

RESOLUTION

The following resolution was introduced:

By Mr. McCorquodale:

H. J. R. 74. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, June 5, 1973.

On motion of Mr. McCorquodale, the rules were suspended and the resolution was adopted.

BILLS ON THIRD READING

And the bill:

H. 543. To apply in counties having populations of not less than 26,725 nor more than 27,250, fixing the compensation of the clerk of the register and providing for the payment thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Pruitt
Adams	Culver	Hobbie	Reid (R)
Adwell	Dill	Hughes	Reynolds
Agee	Doss	Jackson	Roberts
Bank	Downing	Jones (F)	St. John
Barkett	Drake	King	Smith (K)
Barron	Easters	Kinsey	Smith (P)
Bassett	Edwards	Lang	Stewart
Benton	Ellis	Lutz	Stokes
Boles	Erdreich	McBride	Stubbs
Boutwell	Falkenburg	McCluskey	Therrell
Brassell	Fite	McCorquodale	Timmons
Burgess	Flippo	McDonald	Turner
Callahan	Gafford	McMillan	Turnham
Carnes	Goodwin	McNair	Waggoner
Carter	Grainger	May	Waldrop
Cauthen	Gray (F)	Meeks	Wallace
Chesnut	Grey (D)	Merrill	Warren
Collins	Hale	Mims	Williams
Connell	Hardin	Naramore	Wise
Coshatt	Harris	Nettles	Wood
Cottingham	Headley	Owens	Wynot
Crawford	Hearn	Perloff	

—91

And the bill:

H. 545. Relating to the office of the sheriff in all counties having populations of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census; regulating the number and compensation of certain officers and employees of the sheriff, subject to certain conditions; providing motor vehicles for the use of the sheriff and providing office space, supplies, equipment and materials necessary for the conduct of such office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Barron	Burgess	Collins
Adams	Bassett	Callahan	Connell
Adwell	Benton	Carnes	Coshatt
Agee	Boles	Carter	Cottingham
Bank	Boutwell	Cauthen	Crawford
Barkett	Brassell	Chesnut	Crowe

REGULAR SESSION
6th Day

589

Culver	Hale	McDonald	Smith (P)
Dill	Hardin	McMillan	Stewart
Doss	Harris	McNair	Stokes
Downing	Headley	May	Stubbs
Drake	Hearn	Meeks	Therrell
Easters	Hill	Merrill	Timmons
Edwards	Hobbie	Mims	Turner
Ellis	Hughes	Naramore	Turnham
Erdreich	Jackson	Nettles	Waggoner
Falkenburg	Jones (F)	Owens	Waldrop
Fite	King	Perloff	Wallace
Flippo	Kinsey	Pruitt	Warren
Gafford	Lang	Reid (R)	Williams
Goodwin	Lutz	Reynolds	Wise
Grainger	McBride	Roberts	Wood
Gray (F)	McCluskey	St. John	Wynot
Grey (D)	McCorquodale	Smith (K)	

—91

And the bill:

H. 546. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to provide further for the clerical assistance of the county tax assessor in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Pruitt
Adams	Culver	Hobbie	Reid (R)
Adwell	Dill	Hughes	Reynolds
Agee	Doss	Jackson	Roberts
Bank	Downing	Jones (F)	St. John
Barkett	Drake	King	Smith (K)
Barron	Easters	Kinsey	Smith (P)
Bassett	Edwards	Lang	Stewart
Benton	Ellis	Lutz	Stokes
Boles	Erdreich	McBride	Stubbs
Boutwell	Falkenburg	McCluskey	Therrell
Brassell	Fite	McCorquodale	Timmons
Burgess	Flippo	McDonald	Turner
Callahan	Gafford	McMillan	Turnham
Carnes	Goodwin	McNair	Waggoner
Carter	Grainger	May	Waldrop
Cauthen	Gray (F)	Meeks	Wallace
Chesnut	Grey (D)	Merrill	Warren
Collins	Hale	Mims	Williams
Connell	Hardin	Naramore	Wise
Coshatt	Harris	Nettles	Wood
Cottingham	Headley	Owens	Wynot
Crawford	Hearn	Perloff	

—91

And the bill:

H. 547. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances

payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Pruitt
Adams	Culver	Hobbie	Reid (R)
Adwell	Dill	Hughes	Reynolds
Agee	Doss	Jackson	Roberts
Bank	Downing	Jones (F)	St. John
Barkett	Drake	King	Smith (K)
Barron	Easters	Kinsey	Smith (P)
Bassett	Edwards	Lang	Stewart
Benton	Ellis	Lutz	Stokes
Boles	Erdreich	McBride	Stubbs
Boutwell	Falkenburg	McCluskey	Therrell
Brassell	Fite	McCorquodale	Timmons
Burgess	Flippo	McDonald	Turner
Callahan	Gafford	McMillan	Turnham
Carnes	Goodwin	McNair	Waggoner
Carter	Grainger	May	Waldrop
Cauthen	Gray (F)	Meeks	Wallace
Chesnut	Grey (D)	Merrill	Warren
Collins	Hale	Mims	Williams
Connell	Hardin	Naramore	Wise
Coshatt	Harris	Nettles	Wood
Cottingham	Headley	Owens	Wynot
Crawford	Hearn	Perloff	

—91

And the bill:

H. 548. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census, so as to regulate the compensation of members of the jury commission in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Burgess	Culver	Gafford
Adams	Callahan	Dill	Goodwin
Adwell	Carnes	Doss	Grainger
Agee	Carter	Downing	Gray (F)
Bank	Cauthen	Drake	Grey (D)
Barkett	Chesnut	Easters	Hale
Barron	Collins	Edwards	Hardin
Bassett	Connell	Ellis	Harris
Benton	Coshatt	Erdreich	Headley
Boles	Cottingham	Falkenburg	Hearn
Boutwell	Crawford	Fite	Hill
Brassell	Crowe	Flippo	Hobbie

REGULAR SESSION
6th Day

591

Hughes	McMillan	Reid (R)	Turner
Jackson	McNair	Reynolds	Turnham
Jones (F)	May	Roberts	Waggoner
King	Meeks	St. John	Waldrop
Kinsey	Merrill	Smith (K)	Wallace
Lang	Mims	Smith (P)	Warren
Lutz	Naramore	Stewart	Williams
McBride	Nettles	Stokes	Wise
McCluskey	Owens	Stubbs	Wood
McCorquodale	Perloff	Therrell	Wynot
McDonald	Pruitt	Timmons	

—91

And the bill:

H. 551. Relating to Blount County; to provide that all hospitals receiving state or county funds shall publish an annual financial statement and shall have their books audited by the state examiner of public accounts annually.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Pruitt
Adams	Culver	Hobbie	Reid (R)
Adwell	Dill	Hughes	Reynolds
Agee	Doss	Jackson	Roberts
Bank	Downing	Jones (F)	St. John
Barkett	Drake	King	Smith (K)
Barron	Easters	Kinsey	Smith (P)
Bassett	Edwards	Lang	Stewart
Benton	Ellis	Lutz	Stokes
Boles	Erdreich	McBride	Stubbs
Boutwell	Falkenburg	McCluskey	Therrell
Brassell	Fite	McCorquodale	Timmons
Burgess	Flippo	McDonald	Turner
Callahan	Gafford	McMillan	Turnham
Carnes	Goodwin	McNair	Waggoner
Carter	Grainger	May	Waldrop
Cauthen	Gray (F)	Meeks	Wallace
Chesnut	Grey (D)	Merrill	Warren
Collins	Hale	Mims	Williams
Connell	Hardin	Naramore	Wise
Coshatt	Harris	Nettles	Wood
Cottingham	Headley	Owens	Wynot
Crawford	Hearn	Perloff	

—91

And the bill:

H. 557. Relating to DeKalb County; abolishing the position of county license inspector; placing the powers, duties and functions of said office in the sheriff of said county; providing for the disposition of fees accruing from the performance of the duties of license inspector and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

6th Day

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Pruitt
Adams	Culver	Hobbie	Reid (R)
Adwell	Dill	Hughes	Reynolds
Agee	Doss	Jackson	Roberts
Bank	Downing	Jones (F)	St. John
Barkett	Drake	King	Smith (K)
Barron	Easters	Kinsey	Smith (P)
Bassett	Edwards	Lang	Stewart
Benton	Ellis	Lutz	Stokes
Boles	Erdreich	McBride	Stubbs
Boutwell	Falkenburg	McCluskey	Therrell
Brassell	Fite	McCorquodale	Timmons
Burgess	Flippo	McDonald	Turner
Callahan	Gafford	McMillan	Turnham
Carnes	Goodwin	McNair	Waggoner
Carter	Grainger	May	Waldrop
Cauthen	Gray (F)	Meeks	Wallace
Chesnut	Grey (D)	Merrill	Warren
Collins	Hale	Mims	Williams
Connell	Hardin	Namore	Wise
Coshatt	Harris	Nettles	Wood
Cottingham	Headley	Owens	Wynot
Crawford	Hearn	Perloff	

—91

And the bill:

H. 563. Relating to Coffee County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Coffee County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Carter	Edwards	Hearn
Adams	Cauthen	Ellis	Hill
Adwell	Chesnut	Erdreich	Hobbie
Agee	Collins	Falkenburg	Hughes
Bank	Connell	Fite	Jackson
Barkett	Coshatt	Flippo	Jones (F)
Barron	Cottingham	Gafford	King
Bassett	Crawford	Goodwin	Kinsey
Benton	Crowe	Grainger	Lang
Boles	Culver	Gray (F)	Lutz
Boutwell	Dill	Grey (D)	McBride
Brassell	Doss	Hale	McCluskey
Burgess	Downing	Hardin	McCorquodale
Callahan	Drake	Harris	McDonald
Carnes	Easters	Headley	McMillan

6th Day

McNair	Perloff	Stewart	Waldrop
May	Pruitt	Stokes	Wallace
Meeks	Reid (R)	Stubbs	Warren
Merrill	Reynolds	Therrell	Williams
Mims	Roberts	Timmons	Wise
Naramore	St. John	Turner	Wood
Nettles	Smith (K)	Turnham	Wynot
Owens	Smith (P)	Waggoner	

—91

And the bill:

H. 628. Relating to counties having a population of not less than 45,500 nor more than 52,000 inhabitants according to the most recent federal decennial census; providing that all compensation and amounts paid jurors in such counties shall, for the purpose of payment of taxes, be deemed to be reimbursement of expenses incurred while serving on the jury.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Pruitt
Adams	Culver	Hobbie	Reid (R)
Adwell	Dill	Hughes	Reynolds
Agee	Doss	Jackson	Roberts
Bank	Downing	Jones (F)	St. John
Barkett	Drake	King	Smith (K)
Barron	Easters	Kinsey	Smith (P)
Bassett	Edwards	Lang	Stewart
Benton	Ellis	Lutz	Stokes
Boles	Erdreich	McBride	Stubbs
Boutwell	Falkenburg	McCluskey	Therrell
Brassell	Fite	McCorquodale	Timmons
Burgess	Flippo	McDonald	Turner
Callahan	Gafford	McMillan	Turnham
Carnes	Goodwin	McNair	Waggoner
Carter	Grainger	May	Waldrop
Cauthen	Gray (F)	Meeks	Wallace
Chesnut	Grey (D)	Merrill	Warren
Collins	Hale	Mims	Williams
Connell	Hardin	Naramore	Wise
Coshatt	Harris	Nettles	Wood
Cottingham	Headley	Owens	Wynot
Crawford	Hearn	Perloff	

—91

And the bill:

H. 629. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; providing that all compensation and amounts paid jurors in such counties shall, for the purpose of payment of taxes, be deemed to be reimbursement of expenses incurred while serving on the jury.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Pruitt
Adams	Culver	Hobbie	Reid (R)
Adwell	Dill	Hughes	Reynolds
Agee	Doss	Jackson	Roberts
Bank	Downing	Jones (F)	St. John
Barkett	Drake	King	Smith (K)
Barron	Easters	Kinsey	Smith (P)
Bassett	Edwards	Lang	Stewart
Benton	Ellis	Lutz	Stokes
Boles	Erdreich	McBride	Stubbs
Boutwell	Falkenburg	McCluskey	Therrell
Brassell	Fite	McCorquodale	Timmons
Burgess	Flippo	McDonald	Turner
Callahan	Gafford	McMillan	Turnham
Carnes	Goodwin	McNair	Waggoner
Carter	Grainger	May	Waldrop
Cauthen	Gray (F)	Meeks	Wallace
Chesnut	Grey (D)	Merrill	Warren
Collins	Hale	Mims	Williams
Connell	Hardin	Naramore	Wise
Coshatt	Harris	Nettles	Wood
Cottingham	Headley	Owens	Wynot
Crawford	Hearn	Perloff	

—91

And the bill:

H. 655. To amend Section 8 of Act No. 261, H. 571, Regular Session 1947, (Local Acts 947, p. 187), as amended, which act provides for the maximum compensation of the county engineer of Sumter County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Pruitt
Adams	Culver	Hobbie	Reid (R)
Adwell	Dill	Hughes	Reynolds
Agee	Doss	Jackson	Roberts
Bank	Downing	Jones (F)	St. John
Barkett	Drake	King	Smith (K)
Barron	Easters	Kinsey	Smith (P)
Bassett	Edwards	Lang	Stewart
Benton	Ellis	Lutz	Stokes
Boles	Erdreich	McBride	Stubbs
Boutwell	Falkenburg	McCluskey	Therrell
Brassell	Fite	McCorquodale	Timmons
Burgess	Flippo	McDonald	Turner
Callahan	Gafford	McMillan	Turnham
Carnes	Goodwin	McNair	Waggoner
Carter	Grainger	May	Waldrop
Cauthen	Gray (F)	Meeks	Wallace
Chesnut	Grey (D)	Merrill	Warren
Collins	Hale	Mims	Williams
Connell	Hardin	Naramore	Wise
Coshatt	Harris	Nettles	Wood
Cottingham	Headley	Owens	Wynot
Crawford	Hearn	Perloff	

—91

REGULAR SESSION
6th Day

595

And the bill:

H. 656. Relating to The Sumter County Commission, providing for the payment of additional expense allowances of members of the county commission or like governing body of Sumter County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Pruitt
Adams	Culver	Hobbie	Reid (R)
Adwell	Dill	Hughes	Reynolds
Agee	Doss	Jackson	Roberts
Bank	Downing	Jones (F)	St. John
Barkett	Drake	King	Smith (K)
Barron	Easters	Kinsey	Smith (P)
Bassett	Edwards	Lang	Stewart
Benton	Ellis	Lutz	Stokes
Boles	Erdreich	McBride	Stubbs
Boutwell	Falkenburg	McCluskey	Therrell
Brassell	Fite	McCorquodale	Timmons
Burgess	Flippo	McDonald	Turner
Callahan	Gafford	McMillan	Turnham
Carnes	Goodwin	McNair	Waggoner
Carter	Grainger	May	Waldrop
Cauthen	Gray (F)	Meeks	Wallace
Chesnut	Grey (D)	Merrill	Warren
Collins	Hale	Mims	Williams
Connell	Hardin	Namore	Wise
Coshatt	Harris	Nettles	Wood
Cottingham	Headley	Owens	Wynot
Crawford	Hearn	Perloff	

—91

And the bill:

H. 664. To provide for a secretarial assistant to the circuit judge of all judicial circuits having one judge and composed of two counties and the total combined population of both counties being not less than 50,000 nor more than 70,000 according to the most recent decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Coshatt	Edwards
Adams	Brassell	Cottingham	Ellis
Adwell	Burgess	Crawford	Erdreich
Agee	Callahan	Crowe	Falkenburg
Bank	Carnes	Culver	Fite
Barkett	Carter	Dill	Flippo
Barron	Cauthen	Doss	Gafford
Bassett	Chesnut	Downing	Goodwin
Benton	Collins	Drake	Grainger
Boles	Connell	Easters	Gray (F)

6th Day

Grey (D)	Lang	Nettles	Therrell
Hale	Lutz	Owens	Timmons
Hardin	McBride	Perloff	Turner
Harris	McCluskey	Pruitt	Turnham
Headley	McCorquodale	Reid (R)	Waggoner
Hearn	McDonald	Reynolds	Waldrop
Hill	McMillan	Roberts	Wallace
Hobbie	McNair	St. John	Warren
Hughes	May	Smith (K)	Williams
Jackson	Meeks	Smith (P)	Wise
Jones (F)	Merrill	Stewart	Wood
King	Mims	Stokes	Wynot
Kinsey	Naramore	Stubbs	

—91

And the bill:

H. 658. Relating to Sumter County, providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations and in certain cases of game, fish and conservation law violations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Pruitt
Adams	Culver	Hobbie	Reid (R)
Adwell	Dill	Hughes	Reynolds
Agee	Doss	Jackson	Roberts
Bank	Downing	Jones (F)	St. John
Barkett	Drake	King	Smith (K)
Barron	Easters	Kinsey	Smith (P)
Bassett	Edwards	Lang	Stewart
Benton	Ellis	Lutz	Stokes
Boles	Erdreich	McBride	Stubbs
Boutwell	Falkenburg	McCluskey	Therrell
Brassell	Fite	McCorquodale	Timmons
Burgess	Flippo	McDonald	Turner
Callahan	Gafford	McMillan	Turnham
Carnes	Goodwin	McNair	Waggoner
Carter	Grainger	May	Waldrop
Cauthen	Gray (F)	Meeks	Wallace
Chesnut	Grey (D)	Merrill	Warren
Collins	Hale	Mims	Williams
Connell	Hardin	Naramore	Wise
Coshatt	Harris	Nettles	Wood
Cottingham	Headley	Owens	Wynot
Crawford	Hearn	Perloff	

—91

And the bill:

H. 657. To permit banks now or hereafter situated in Sumter County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
6th Day

597

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Pruitt
Adams	Culver	Hobbie	Reid (R)
Adwell	Dill	Hughes	Reynolds
Agee	Doss	Jackson	Roberts
Bank	Downing	Jones (F)	St. John
Barkett	Drake	King	Smith (K)
Barron	Easters	Kinsey	Smith (P)
Bassett	Edwards	Lang	Stewart
Benton	Ellis	Lutz	Stokes
Boles	Erdreich	McBride	Stubbs
Boutwell	Falkenburg	McCluskey	Therrell
Brassell	Fite	McCorquodale	Timmons
Burgess	Flippo	McDonald	Turner
Callahan	Gafford	McMillan	Turnham
Carnes	Goodwin	McNair	Waggoner
Carter	Grainger	May	Waldrop
Cauthen	Gray (F)	Meeks	Wallace
Chesnut	Grey (D)	Merrill	Warren
Collins	Hale	Mims	Williams
Connell	Hardin	Naramore	Wise
Coshatt	Harris	Nettles	Wood
Cottingham	Headley	Owens	Wynot
Crawford	Hearn	Perloff	

—91

And the bill:

H. 663. To create a mosquito abatement district in any two contiguous counties on the Alabama River having a combined population of not less than 200,000, according to the most recent federal decennial census for the purpose of controlling and abating mosquitoes and other vectors; to provide a mosquito control board for administrative purposes and to prescribe its authority; to provide for the appointment, number and terms of its members; to authorize the governing bodies of any county, city or town within the district to appropriate public funds for the purposes of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Carter	Edwards	Hearn
Adams	Cauthen	Ellis	Hill
Adwell	Chesnut	Erdreich	Hobbie
Agee	Collins	Falkenburg	Hughes
Bank	Connell	Fite	Jackson
Barkett	Coshatt	Flippo	Jones (F)
Barron	Cottingham	Gafford	King
Bassett	Crawford	Goodwin	Kinsey
Benton	Crowe	Grainger	Lang
Boles	Culver	Gray (F)	Lutz
Boutwell	Dill	Grey (D)	McBride
Brassell	Doss	Hale	McCluskey
Burgess	Downing	Hardin	McCorquodale
Callahan	Drake	Harris	McDonald
Carnes	Easters	Headley	McMillan

6th Day

McNair	Perloff	Stewart	Waldrop
May	Pruitt	Stokes	Wallace
Meeks	Reid (R)	Stubbs	Warren
Merrill	Reynolds	Therrell	Williams
Mims	Roberts	Timmons	Wise
Naramore	St. John	Turner	Wood
Nettles	Smith (K)	Turnham	Wynot
Owens	Smith (P)	Waggoner	

—91

CO-SPONSOR ADDED

At the request of Mr. Harris, unanimous consent was granted for the Journal to show him as a co-sponsor to the bill, H. 663.

BILLS ON THIRD READING RESUMED

And the bill:

H. 476. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute a waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Pruitt
Adams	Culver	Hobbie	Reid (R)
Adwell	Dill	Hughes	Reynolds
Agee	Doss	Jackson	Roberts
Bank	Downing	Jones (F)	St. John
Barkett	Drake	King	Smith (K)
Barron	Easters	Kinsey	Smith (P)
Bassett	Edwards	Lang	Stewart
Benton	Ellis	Lutz	Stokes
Boles	Erdreich	McBride	Stubbs
Boutwell	Falkenburg	McCluskey	Therrell
Brassell	Fite	McCorquodale	Timmons
Burgess	Flipppo	McDonald	Turner
Callahan	Gafford	McMillan	Turnham
Carnes	Goodwin	McNair	Waggoner
Carter	Grainger	May	Waldrop
Cauthen	Gray (F)	Meeks	Wallace
Chesnut	Grey (D)	Merrill	Warren
Collins	Hale	Mims	Williams
Connell	Hardin	Naramore	Wise
Coshatt	Harris	Nettles	Wood
Cottingham	Headley	Owens	Wynot
Crawford	Hearn	Perloff	

—91

And the bill:

H. 470. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain addi-

tional territory in Section 1, Township 16 N, Range 18 E, Montgomery County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Pruitt
Adams	Culver	Hobbie	Reid (R)
Adwell	Dill	Hughes	Reynolds
Agee	Doss	Jackson	Roberts
Bank	Downing	Jones (F)	St. John
Barkett	Drake	King	Smith (K)
Barron	Easters	Kinsey	Smith (P)
Bassett	Edwards	Lang	Stewart
Benton	Ellis	Lutz	Stokes
Boles	Erdreich	McBride	Stubbs
Boutwell	Falkenburg	McCluskey	Therrell
Brassell	Fite	McCorquodale	Timmons
Burgess	Flippo	McDonald	Turner
Callahan	Gafford	McMillan	Turnham
Carnes	Goodwin	McNair	Waggoner
Carter	Grainger	May	Waldrop
Cauthen	Gray (F)	Meeks	Wallace
Chesnut	Grey (D)	Merrill	Warren
Collins	Hale	Mims	Williams
Connell	Hardin	Naramore	Wise
Coshatt	Harris	Nettles	Wood
Cottingham	Headley	Owens	Wynot
Crawford	Hearn	Perloff	

—91

And the bill:

H. 120. To amend Section 367 of Title 52 of the Code of Alabama of 1940 as amended, to provide for the addition of one member of the Alabama Retired Teachers Association to the Board of Control of the Teachers' Retirement System and to provide other personnel as deemed necessary by the Board of Control.

Was taken up.

Mr. Turnham offered the following amendment to the bill:

Amend House Bill 120 by deleting paragraph (e) in Section 1 in its entirety and substituting in lieu thereof the following:

"(e) Seven members of the Retirement System and one retired member of the Retirement System. Of the seven members of the Retirement System, one shall be a City or County superintendent, one shall be a principal and four shall be classroom teachers all of whom shall be elected by the Members of the Retirement System for a term of three years according to such rules and regulations as the Board of Control shall adopt to govern such elections. The Board of Control together with the officers of the Alabama Education Association shall provide for the election of the three members of the Board of Control to be elected by the members of the Retirement System. One such member shall be elected at each annual convention of the Alabama Education Association. The retired member shall be elected by the members of the Ala-

bama Retired Teachers' Association and shall be done at the annual convention of the Alabama Education Association. The Alabama Retired Teachers' Association shall be responsible for the election of its member and shall certify to the Board of Control the results of such election. The first election of the retired member shall be held at the 1974 annual convention of the Alabama Education Association and after certification to the Board of Control shall serve for a term of three years as all other elected members of the Board of Control. The terms of office shall begin immediately after they have qualified and taken the oath of office. One member from higher education shall be elected by the Commission on Higher Education."

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson	Reynolds
Adams	Doss	Jones (F)	Roberts
Agee	Downing	King	Robertson
Bank	Drake	Kinsey	St. John
Barkett	Edwards	Lutz	Smith (K)
Barron	Falkenburg	McBride	Smith (P)
Benton	Fite	McCluskey	Stewart
Boles	Flippo	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Brassell	Goodwin	McNair	Therrell
Carnes	Grainger	Mathews	Timmons
Carter	Gray (F)	May	Turner
Casey	Hale	Meeks	Turnham
Cauthen	Hardin	Merrill	Waldrop
Chesnut	Harris	Mims	Wallace
Connell	Headley	Naramore	Warren
Coshatt	Hearn	Nettles	Williams
Cottingham	Hill	Owens	Wise
Crawford	Hobbie	Reed (T)	Wynot
Culver	Hughes	Reid (R)	

—79

And the bill, H. 120 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Casey	Falkenburg	Hughes
Adams	Cauthen	Fite	Jackson
Adwell	Chesnut	Flippo	Jones (F)
Agee	Connell	Gafford	King
Bank	Coshatt	Goodwin	Kinsey
Barkett	Cottingham	Grainger	Lutz
Barron	Crawford	Gray (F)	McBride
Bassett	Culver	Grey (D)	McCluskey
Benton	Dill	Hale	McCorquodale
Boles	Doss	Hardin	McDonald
Boutwell	Downing	Harris	McNair
Brassell	Drake	Headley	Mathews
Callahan	Edwards	Hearn	May
Carnes	Ellis	Hill	Meeks
Carter	Erdreich	Hobbie	Merrill

REGULAR SESSION
6th Day

601

Mims	Roberts	Stokes	Wallace
Naramore	Robertson	Stubbs	Warren
Nettles	St. John	Therrell	Williams
Owens	Smith (K)	Timmons	Wise
Perloff	Smith (P)	Turner	Wood
Reid (R)	Stewart	Turnham	Wynot
Reynolds			

—85

And the bill:

H. 388. To provide for the exemption from ad valorem taxation of the home of any person who is totally disabled or who is sixty-five years of age or older and who had an adjusted gross income of less than five thousand dollars for income tax purposes for the last preceding year.

Was taken up.

H. 388 POSTPONED

On motion of Mr. Merrill, the bill, H. 388 was postponed for five minutes.

And the bill:

H. 128. A bill allowing an election by the surviving widow to receive the present value of her dower rights in lump sum form.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Roberts
Adams	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Edwards	Lutz	Smith (K)
Barkett	Ellis	McBride	Stewart
Barron	Fite	McCluskey	Stokes
Bassett	Flippo	McCorquodale	Stubbs
Benton	Gafford	McDonald	Taylor
Boles	Goodwin	McMillan	Therrell
Boutwell	Grainger	McNair	Timmons
Burgess	Gray (F)	Mathews	Turner
Carnes	Grey (D)	May	Turnham
Carter	Hale	Meeks	Waggoner
Casey	Hardin	Merrill	Waldrop
Cauthen	Harris	Mims	Wallace
Chesnut	Headley	Naramore	Warren
Connell	Hill	Nettles	Williams
Coshatt	Hobbie	Owens	Wise
Cottingham	Hughes	Reid (R)	Wood
Culver	Jackson	Reynolds	Wynot

—80

And the bill:

H. 603. Relating to the admissibility of itemized doctor's charges, hospital charges and drug expenses incurred during the treatment of injury or illness.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 1.

Yeas:

Messrs.:	Dill	Jones (F)	Robertson
Adams	Doss	King	St. John
Agee	Downing	Kinsey	Smith (K)
Bank	Edwards	Lutz	Smith (P)
Barkett	Ellis	McBride	Stewart
Barron	Falkenburg	McCluskey	Stokes
Bassett	Fite	McCorquodale	Stubbs
Benton	Flippo	McDonald	Taylor
Boles	Goodwin	McMillan	Therrell
Boutwell	Grainger	McNair	Timmons
Brassell	Gray (F)	Mathews	Turner
Burgess	Grey (D)	May	Turnham
Carnes	Hale	Merrill	Waggoner
Carter	Hardin	Mims	Waldrop
Casey	Harris	Naramore	Wallace
Cauthen	Headley	Nettles	Warren
Chesnut	Hearn	Owens	Williams
Connell	Hill	Reid (R)	Wise
Cottingham	Hughes	Reynolds	Wood
Culver	Jackson	Roberts	Wynot

—79

Nay: Mr. Speaker.

—1

And the bill:

H. 390 (With Substitute) (With Amendment): To amend Title 13, Section 350; to raise the age of "juvenile to 18".

Was taken up.

H. 390 POSTPONED

On motion of Mr. Lutz, the bill, H. 390 with pending substitute and amendment, was postponed to the eighth legislative day.

BILLS RE-REFERRED

On motion of Mr. Gray (F), the bills, H. 530, H. 531 and H. 532, were re-referred from the Standing Committee on Ways and Means to the Standing Committee on Local Legislation No. 1.

BILLS ON THIRD READING RESUMED

And the bill:

H. 364. Relating to judicial procedure; specifically regulating further actions indetinue so as to provide an opportunity for the defendant to be heard before property is taken out of his possession under a court order except in enumerated extraordinary circumstances; and for such purpose amending Code of Alabama 1940, Title 7, Sections 918, 920 and 932, and also Act No. 979, H. 232 of the Regular Session of 1951 (Acts of Alabama,

1951, p. 1653—now appearing in Section 931(1) of Title 7 in the Code of Alabama, Recompiled 1958).

Was taken up.

H. 364 POSTPONED

On motion of Mr. Hill, the bill, H. 364, was postponed to the seventh legislative day.

And the bill:

H. 642 (With Amendment): To amend Title 26, Section 261, Code of Alabama 1940, as amended, which relates to legal services in workman's compensation cases, so as to eliminate the requirement that a claimant under the workman's compensation law must have prior court approval before employing an attorney to represent him upon a hearing of a petition under the workman's compensation law.

Was taken up.

H. 642 POSTPONED

On motion of Mr. Carnes, the bill, H. 642 with pending amendment, was postponed to the seventh legislative day.

And the bill:

H. 372. To amend Title 34, Section 31, Code of Alabama, 1940, so as to provide that the Court may divest interest of either spouse in the home-place; that remarriage of the wife may terminate rights to alimony; that action to recover alimony must be commenced within five (5) years, and to repeal all conflicting laws.

Was taken up.

Mr. Stokes offered the following amendment to the bill:

Amend House Bill 372, Section 1, (D), by deleting the period at the end of the sentence and adding the following: "from the date that the alimony sought to be recovered became due."

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Carter	Ellis	Hearn
Adams	Casey	Falkenburg	Hill
Adwell	Cauthen	Fite	Hobbie
Agee	Chesnut	Flippo	Hughes
Bank	Connell	Gafford	Jackson
Barkett	Coshatt	Goodwin	Jones (F)
Barron	Cottingham	Grainger	King
Bassett	Crawford	Gray (F)	Lutz
Benton	Culver	Grey (D)	McBride
Boles	Dill	Hale	McCluskey
Boutwell	Downing	Hardin	McCorquodale
Carnes	Edwards	Harris	McDonald

6th Day

McMillan	Nettles	Smith (K)	Waldrop
McNair	Owens	Smith (P)	Wallace
Mathews	Reed (T)	Stewart	Warren
May	Reid (R)	Stokes	Williams
Meeks	Reynolds	Therrell	Wise
Merrill	Roberts	Timmons	Wood
Mims	Robertson	Turner	Wynot
Naramore			

—77

And the bill, H. 372 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 7.

Yeas:

Messrs.:	Crawford	Harris	Perloff
Adams	Culver	Hill	Reid (R)
Agee	Dill	Hughes	Reynolds
Bank	Downing	Jackson	Roberts
Barkett	Edwards	Jones (F)	Robertson
Barron	Ellis	King	Smith (K)
Bassett	Erdreich	Lutz	Smith (P)
Boles	Falkenburg	McBride	Stewart
Boutwell	Fite	McDonald	Stokes
Burgess	Flippo	McMillan	Taylor
Carnes	Goodwin	May	Therrell
Casey	Grainger	Meeks	Timmons
Cauthen	Gray (F)	Merrill	Waldrop
Chesnut	Gray (D)	Naramore	Wallace
Connell	Hale	Nettles	Wise
Coshatt	Hardin	Owens	Wood

—63

Nays:

Mr. Speaker	Cottingham	Gafford	Williams
Collins	Doss	Turner	

—7

And the bill:

H. 388. To provide for the exemption from ad valorem taxation of the home of any person who is totally disabled or who is sixty-five years of age or older and who had an adjusted gross income of less than five thousand dollars for income tax purposes for the last preceding year.

Having been postponed for five minutes, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Coshatt	Edwards
Adams	Brassell	Cottingham	Ellis
Agee	Burgess	Crawford	Erdreich
Bank	Callahan	Crowe	Fite
Barkett	Carnes	Culver	Flippo
Barron	Carter	Dill	Gafford
Bassett	Casey	Doss	Goodwin
Benton	Chesnut	Downing	Grainger
Boles	Connell	Drake	Gray (F)

6th Day

Grey (D)	McBride	Nettles	Stewart
Hale	McCluskey	O'Daniel	Stokes
Hardin	McCorquodale	Owens	Taylor
Harris	McDonald	Perloff	Therrell
Hearn	McMillan	Reed (T)	Timmons
Hill	McNair	Reid (R)	Turner
Hobbie	Mathews	Reynolds	Waldrop
Hughes	May	Roberts	Wallace
Jackson	Meeks	Robertson	Warren
Jones (F)	Merrill	St. John	Williams
King	Mims	Smith (K)	Wise
Kinsey	Naramore	Smith (P)	Wynot
Lutz			

—85

CO-SPONSORS ADDED

Unanimous consent was granted for all House members voting "Yea" on the bill, H. 388, to have their names added as co-sponsors.

BILLS ON THIRD READING RESUMED

And the bill:

H. 363. To amend Section 210 of Act No. 1407, S. B. 414, Regular Session 1971 (Acts 1971, p. 2378), which Act is known as the Alabama Uniform Controlled Substances Act, so as to include the drug methaqualone in the controlled substances covered under Schedule IV in said Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hill	Owens
Adams	Crowe	Hughes	Perloff
Bank	Culver	Jackson	Reid (R)
Barkett	Dill	Jones (F)	Reynolds
Barron	Doss	King	Roberts
Bassett	Downing	Kinsey	Robertson
Benton	Edwards	Lutz	Smith (K)
Boles	Ellis	McBride	Smith (P)
Boutwell	Erdreich	McCluskey	Stewart
Brassell	Fite	McCorquodale	Stokes
Burgess	Flippo	McDonald	Taylor
Carnes	Gafford	McMillan	Therrell
Carter	Goodwin	McNair	Turner
Casey	Grainger	Mathews	Turnham
Cauthen	Gray (F)	Mav	Waldrop
Chesnut	Grey (D)	Meeks	Wallace
Collins	Hale	Merrill	Warren
Connell	Hardin	Mims	Williams
Coshatt	Harris	Naramore	Wise
Cottingham	Hearn	Nettles	Wynot

—80

And the bill:

H. 184. To provide that the courts of this state shall have jurisdiction over any non-resident corporation, which conducts business in the state

without qualifying to do business therein, for the prosecution of any claim whether or not that claim arises out of the business conducted within the state.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 2.

Yeas:

Mr. Speaker	Crowe	Hobbie	Reid (R)
Adams	Culver	Hughes	Reynolds
Agee	Dill	Jackson	Roberts
Bank	Doss	Jones (F)	Robertson
Barkett	Downing	King	St. John
Barron	Edwards	Kinsey	Smith (K)
Bassett	Ellis	Lutz	Smith (P)
Benton	Erdreich	McBride	Stewart
Boles	Falkenburg	McCluskey	Stubbs
Boutwell	Fite	McCorquodale	Taylor
Brassell	Flippo	McDonald	Therrell
Burgess	Goodwin	McMillan	Timmons
Callahan	Grainger	McNair	Turner
Carnes	Gray (F)	Mathews	Waggoner
Carter	Grey (D)	May	Waldrop
Casey	Hale	Merrill	Wallace
Cauthen	Hardin	Mims	Warren
Chesnut	Harris	Naramore	Williams
Connell	Headley	Nettles	Wise
Coshatt	Hearn	Owens	Wood
Cottingham	Hill	Perloff	Wynot
Crawford			

—85

Nays: Messrs. Collins and Stokes.

—2

CO-SPONSOR ADDED

At the request of Mr. Burgess, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 184.

BILLS ON THIRD READING RESUMED

And the bill:

H. 185. To provide that the courts of this state shall have jurisdiction over any non-domiciliary who commits a tortious act causing injury within the state or owns, uses, or possesses real property within the state where any claim arises from the doing of any such act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 1.

Yeas:

Mr. Speaker	Barron	Burgess	Cauthen
Adams	Bassett	Callahan	Chesnut
Agee	Benton	Carnes	Collins
Bank	Boles	Carter	Connell
Barkett	Boutwell	Casey	Coshatt

REGULAR SESSION
6th Day

607

Cottingham	Hale	McDonald	Smith (K)
Crowe	Hardin	McMillan	Smith (P)
Culver	Harris	McNair	Stewart
Dill	Headley	Mathews	Stubbs
Doss	Hearn	May	Taylor
Downing	Hill	Meeks	Therrell
Edwards	Hobbie	Merrill	Timmons
Ellis	Hughes	Mims	Turner
Erdreich	Jackson	Naramore	Waggoner
Falkenburg	Jones (F)	Nettles	Waldrop
Fite	King	Perloff	Wallace
Flippo	Kinsey	Reid (R)	Warren
Goodwin	Lutz	Reynolds	Williams
Grainger	McBride	Roberts	Wise
Gray (F)	McCluskey	Robertson	Wood
Grey (D)	McCorquodale	St. John	Wynot

—84

Nay: Mr. Stokes.

—1

CO-SPONSOR ADDED

At the request of Mr. Burgess, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 185.

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Cauthen moved to reconsider the vote by which the bill, H. 372, was passed and the motion was adopted.

AMENDMENT ADOPTED

Mr. Cauthen offered the following amendment to the bill, H. 372 as amended:

Amend Section (B) of H.B. 372 by striking therefrom the words "where a minor child or children are involved."

And the amendment was adopted.

Yeas 77; Nays 1.

Yeas:

Mr. Speaker	Connell	Gray (F)	McDonald
Adams	Coshatt	Grey (D)	McMillan
Agee	Cottingham	Hale	Mathews
Barron	Crowe	Hardin	May
Bassett	Culver	Harris	Meeks
Benton	Doss	Hearn	Merrill
Boles	Downing	Hill	Naramore
Boutwell	Edwards	Hobbie	Nettles
Brassell	Ellis	Hughes	Owens
Burgess	Erdreich	Jackson	Perloff
Callahan	Falkenburg	Jones (F)	Reid (R)
Carnes	Fite	King	Reynolds
Carter	Flippo	Kinsey	Roberts
Casey	Gafford	Lutz	Robertson
Cauthen	Goodwin	McBride	St. John
Chesnut	Grainger	McCluskey	Smith (K)

Stewart	Timmons	Waldrop	Wise	
Stokes	Turner	Wallace	Wood	
Taylor	Waggoner	Warren	Wynot	
Therrell				—77
Nay:	Mr. McNair			—1

And the bill, H. 372 as thus amended, was again read the third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 5.

Yeas:

Messrs.:	Culver	Jackson	Reid (R)	
Adams	Downing	Jones (F)	Reynolds	
Agee	Edwards	King	Roberts	
Bank	Ellis	Kinsey	Robertson	
Barron	Erdreich	Lutz	St. John	
Bassett	Falkenburg	McBride	Smith (K)	
Benton	Fite	McCluskey	Stewart	
Boles	Flippo	McCorquodale	Stokes	
Boutwell	Goodwin	McDonald	Taylor	
Brassell	Grainger	McMillan	Therrell	
Burgess	Gray (F)	McNair	Timmons	
Callahan	Grey (D)	Mathews	Waggoner	
Carnes	Hale	May	Waldrop	
Carter	Hardin	Meeks	Wallace	
Casey	Harris	Merrill	Warren	
Cauthen	Hearn	Naramore	Williams	
Chesnut	Hill	Nettles	Wise	
Connell	Hobbie	Owens	Wood	
Coshatt	Hughes	Perloff	Wynot	
Crowe				—76

Nays:

Mr. Speaker	Doss	Gafford	Turner	
Cottingham				—5

And the bill:

H. 667. To provide for the adoption of adult persons and to declare the rights of the adopter and the adopted person.

Was taken up.

H. 667 POSTPONED

On motion of Mr. Carter, the bill, H. 667, was postponed to the seventh legislative day.

And the bill:

H. 497. To amend the Code of Alabama (1940), Title 7, Section 1000, to provide for presumption of notice of garnishment to defendant, when he fails to appear within thirty days from the date garnishment has been served on garnishee.

REGULAR SESSION
6th Day

609

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 12.

Yeas:

Messrs.:	Crowe	Hughes	Reynolds
Adams	Culver	Jackson	Roberts
Agee	Downing	King	Robertson
Bank	Edwards	Lutz	St. John
Barron	Ellis	McBride	Smith (K)
Bassett	Erdreich	McCluskey	Stokes
Benton	Falkenburg	McCorquodale	Therrell
Boles	Fite	McDonald	Timmons
Boutwell	Flippo	May	Turner
Brassell	Goodwin	Meeks	Waggoner
Carnes	Grainger	Merrill	Waldrop
Carter	Grey (D)	Mims	Wallace
Casey	Hale	Naramore	Warren
Chesnut	Hardin	Owens	Wise
Connell	Hearn	Perloff	Wood
Coshatt	Hill	Reid (R)	Wynot
Cottingham			

—64

Nays:

Mr. Speaker	Dill	Gray (F)	McMillan
Callahan	Doss	Hobbie	McNair
Cauthen	Gafford	Jones (F)	Stewart

—12

And the bill:

H. 691. To authorize and provide for the promotion of the production, marketing, use and sale of swine and swine products by research, education, advertising and other methods; and prescribing a method whereby swine producers may act jointly with handlers, buyers, processors, the state board of agriculture and industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the swine producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of swine throughout the State, and providing for collection and distribution of assessments by dealers, handlers, and buyers of swine; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

Was taken up.

H. 691 POSTPONED

On motion of Mr. Smith (P), the bill, H. 691, was temporarily postponed.

And the bill:

H. 690. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for the promotion of the production, research, distribution, marketing, use, improvement and sale of swine and swine products.

Was taken up.

CO-SPONSOR ADDED

Unanimous consent was granted for Mr. Ellis to have his name added as co-sponsor to the bill, H. 690.

AMENDMENT ADOPTED

Mr. Smith (P) offered the following amendment to the bill:

Amend House Bill 690 by changing the second sentence of the proposed Constitutional Amendment to read as follows:

"The Legislature may provide for the promotion of swine and the swine industry by research, education, advertising and other methods, and the Legislature is further authorized to provide means and methods for the financing of any such promotional activity by prescribing a procedure whereby producers of swine may by referendum held among the swine producers in this State levy upon themselves and collect assessments, fees, or charges upon the sale of swine for the financing of any promotional program or activity in co-operation with processors, dealers and handlers, of swine and swine products."

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Roberts
Adams	Dill	Jackson	Robertson
Adwell	Doss	Jones (F)	St. John
Agee	Downing	King	Smith (K)
Barkett	Edwards	Kinsey	Smith (P)
Barron	Ellis	Lutz	Stewart
Bassett	Erdreich	McBride	Stokes
Benton	Falkenburg	McCluskey	Taylor
Boles	Fite	McCorquodale	Therrell
Boutwell	Flippo	McDonald	Timmons
Brassell	Gafford	McMillan	Turner
Burgess	Goodwin	McNair	Turnham
Carnes	Grainger	May	Waggoner
Carter	Gray (F)	Meeks	Waldrop
Casey	Grey (D)	Merrill	Wallace
Cauthen	Hale	Mims	Warren
Chesnut	Hardin	Naramore	Williams
Connell	Harris	Nettles	Wise
Coshatt	Hearn	Owens	Wood
Cottingham	Hill	Reid (R)	Wynot
Crowe	Hobbie	Reynolds	

—83

And the bill, H. 690 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
6th Day

611

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Reynolds
Adams	Culver	Hughes	Roberts
Adwell	Dill	Jackson	Robertson
Agee	Doss	Jones (F)	St. John
Barkett	Downing	King	Smith (K)
Barron	Easters	Kinsey	Smith (P)
Bassett	Edwards	Lutz	Stewart
Benton	Ellis	McBride	Stokes
Boles	Erdreich	McCluskey	Taylor
Boutwell	Falkenburg	McCorquodale	Therrell
Brassell	Fite	McDonald	Timmons
Burgess	Flippo	McMillan	Turner
Callahan	Gafford	McNair	Turnham
Carnes	Goodwin	Mathews	Waggoner
Carter	Grainger	May	Waldrop
Casey	Gray (F)	Meeks	Wallace
Cauthen	Grey (D)	Merrill	Warren
Chesnut	Hale	Mims	Williams
Collins	Hardin	Naramore	Wise
Connell	Harris	Nettles	Wood
Coshatt	Hearn	Owens	Wynot
Cottingham	Hill	Reid (R)	

—87

And the bill:

H. 691. To authorize and provide for the promotion of the production, marketing, use and sale of swine and swine products by research, education, advertising and other methods; and prescribing a method whereby swine producers may act jointly with handlers, buyers, processors, the state board of agriculture and industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the swine producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of swine throughout the State, and providing for collection and distribution of assessments by dealers, handlers, and buyers of swine; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

Having been temporarily postponed, was again taken up.

Mr. Smith (P) offered the following amendment to the bill:

Amend House Bill 691 by adding in Section 9 just before the words "thirty days" the words "not less than".

AMENDMENT ADOPTED

And the amendment was adopted.

6th Day

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reynolds
Adams	Dill	Jackson	Roberts
Adwell	Doss	Jones (F)	Robertson
Agee	Downing	King	St. John
Bank	Easters	Kinsey	Smith (K)
Barkett	Edwards	Lutz	Smith (P)
Barron	Ellis	McBride	Stewart
Bassett	Erdreich	McCluskey	Stokes
Benton	Falkenburg	McCorquodale	Taylor
Boles	Fite	McDonald	Therrell
Boutwell	Flippo	McMillan	Timmons
Brassell	Gafford	McNair	Turner
Carnes	Goodwin	Mathews	Turnham
Carter	Grainger	May	Waggoner
Casey	Gray (F)	Meeks	Waldrop
Cauthen	Grey (D)	Merrill	Wallace
Chesnut	Hale	Mims	Warren
Collins	Hardin	Naramore	Williams
Connell	Harris	Nettles	Wise
Coshatt	Hearn	Owens	Wood
Cottingham	Hill	Reid (R)	Wynot
Crowe	Hobbie		

—86

And the bill, H. 691 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Reid (R)
Adams	Culver	Hughes	Reynolds
Adwell	Dill	Jackson	Roberts
Agee	Doss	Jones (F)	Robertson
Bank	Downing	King	St. John
Barkett	Easters	Kinsey	Smith (K)
Barron	Edwards	Lutz	Smith (P)
Bassett	Ellis	McBride	Stewart
Benton	Erdreich	McCluskey	Stokes
Boles	Falkenburg	McCorquodale	Taylor
Boutwell	Fite	McDonald	Therrell
Brassell	Flippo	McMillan	Timmons
Burgess	Gafford	McNair	Turner
Carnes	Goodwin	Mathews	Turnham
Carter	Grainger	May	Waldrop
Casey	Gray (F)	Meeks	Wallace
Cauthen	Grey (D)	Merrill	Warren
Chesnut	Hale	Mims	Williams
Collins	Hardin	Naramore	Wise
Connell	Harris	Nettles	Wood
Coshatt	Hearn	Owens	Wynot
Cottingham	Hill		

—86

And the bill:

H. 406. To prohibit the throwing or discharging upon any public or private property, lighted or nonlighted, flaming or glowing substances that may cause fire or from a vehicle or while a pedestrian upon a road, highway

REGULAR SESSION
6th Day

613

or adjoining area; to prohibit the throwing or depositing of waste matter upon highways, rights-of-way, sidewalks or public or private property or into specified bodies of water or banks thereof; to define terms; to prescribe penalties for violations and subsequent violations and to require the preparation and maintenance of records of violations.

Was taken up.

H. 406 POSTPONED

On motion of Mr. Smith (P), the bill, H. 406, was postponed to the seventh legislative day.

And the bill:

H. 334. To repeal Section 6 of Title 2 of the Code of Alabama of 1940 which prohibits the buying, selling or other trading in, and the movement or transportation, of certain farm products after the hour of sunset and before the hour of sunrise.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reynolds
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	King	St. John
Bank	Downing	Kinsey	Smith (K)
Barkett	Easters	Lang	Smith (P)
Barron	Edwards	Lutz	Stewart
Bassett	Ellis	McBride	Stokes
Benton	Erdreich	McCluskey	Taylor
Boles	Falkenburg	McCorquodale	Therrell
Boutwell	Fite	McDonald	Timmons
Brassell	Flippo	McMillan	Turner
Burgess	Gafford	McNair	Turnham
Carnes	Goodwin	Mathews	Waggoner
Carter	Grainger	May	Waldrop
Casey	Gray (F)	Meeks	Wallace
Cauthen	Grey (D)	Merrill	Warren
Chesnut	Hale	Mims	Williams
Collins	Hardin	Naramore	Wise
Connell	Harris	Nettles	Wood
Coshatt	Hearn	Owens	Wynot
Cottingham	Hill	Reid (R)	

—87

And the bill:

H. 333. To amend Sections 3, 6 and 7 of Act No. 424, H. 413, Legislature of 1963, Regular Session, approved September 2, 1963 (Acts of 1963, Vol. 2, p. 931), as amended, an Act to regulate the labeling, sale and offering or exposing for sale or distribution of agricultural, vegetable, flower, tree, shrub and herb seeds, etc.; to amend Section 3 of said Act No. 424 to prescribe the time of the test to determine the percentage of germination for agricultural and vegetable seed sold or offered for sale or distributed in hermetically sealed containers; to amend Section 6 of said Act No. 424 to require in-

voices of certain sales of seed sold at retail to be furnished to the buyer and that a record thereof be kept by the seller; and to amend Section 7 of said Act No. 424 to authorize the adoption of rules and regulations governing the sale of seed that are subject to the provisions of the "Plant Variety Protection Act" of the Congress of the United States.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hearn	Reid (R)
Adams	Crowe	Hill	Reynolds
Adwell	Culver	Hughes	Roberts
Agee	Dill	Jackson	Robertson
Bank	Doss	Jones (F)	St. John
Barkett	Downing	King	Smith (K)
Barron	Easters	Kinsey	Smith (P)
Bassett	Edwards	Lutz	Stewart
Benton	Ellis	McBride	Stokes
Boles	Erdreich	McCluskey	Stubbs
Boutwell	Falkenburg	McCorquodale	Taylor
Brassell	Fite	McDonald	Therrell
Burgess	Flippo	McMillan	Timmons
Carnes	Gafford	McNair	Turner
Carter	Goodwin	Mathews	Turnham
Casey	Grainger	May	Waldrop
Cauthen	Gray (F)	Meeks	Wallace
Chesnut	Grey (D)	Merrill	Warren
Collins	Hale	Mims	Williams
Connell	Hardin	Naramore	Wise
Coshatt	Harris	Nettles	Wynot
Cottingham	Headley	Owens	

—87

And the bill:

H. 332. To amend Section 385, as amended, and Section 386 of Title 2 of the Code of Alabama of 1940, relating to livestock dealers, the annual permit required, bills of sale and bills of lading required thereunder; and to repeal Section 387 of Title 2 of the Code of Alabama of 1940.

Was taken up.

H. 332 POSTPONED

On motion of Mr. Smith (P), the bill, H. 332, was postponed to the seventh legislative day.

RESOLUTION

The following resolution was introduced:

By Mr. Collins:

H. J. R. 75. PROVIDING FOR CONTINUATION OF THE JOINT COMMITTEE ESTABLISHED BY SJR 97, ACT NO. 382, APPROVED September 5, 1967, and CONTINUED BY SJR 101, Act No. 1046, approved September 12, 1969, and CONTINUED BY HJR 217,

Act No. 2418, APPROVED October 1, 1971, TO STUDY THE PROBLEMS OF INTERSTATE AND INTRASTATE HIGHWAY SAFETY GENERALLY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the joint committee established pursuant to SJR 97, Act No. 382, approved September 5, 1967, and continued by SJR 101, Act No. 1046, approved September 12, 1969, and continued by HJR 217, Act No. 2418, approved October 1, 1971, shall continue in existence and shall continue its work as directed in said Act No. 382. The committee shall make a report to the legislature before the 10th legislative day of the next regular session.

BE IT FURTHER RESOLVED, That the committee members shall be entitled to their usual legislative per diem and expenses for attending meetings of the committee which shall be paid from funds appropriated for the payment of the expenses of the legislature and that in no event shall this resolution carry an appropriation of more than \$10,000.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Collins to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution, H. J. R. 75, was lost.

Yeas 28; Nays 34.

Yeas:

Mr. Speaker	Crowe	Headley	Reynolds
Barkett	Culver	Jackson	Stokes
Boutwell	Downing	McCluskey	Therrell
Brassell	Easters	Mathews	Turner
Callahan	Edwards	May	Turnham
Collins	Ellis	Owens	Waggoner
Connell	Grey (D)	Reid (R)	Wise

—28

Nays:

Messrs.:	Dill	Hearn	Nettles
Agee	Erdreich	Hill	St. John
Barron	Flippo	Jones (F)	Smith (K)
Bassett	Gafford	King	Taylor
Carnes	Goodwin	Lutz	Timmons
Casey	Grainger	McMillan	Waldrop
Cauthen	Hale	McNair	Wallace
Chesnut	Hardin	Merrill	Wynot
Crawford	Harris	Naramore	

—34

And the resolution, H. J. R. 75, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill:

H. 400. Relating to the practice of public accounting; to regulate the practice of public accounting; to create a State Board of Public Accountancy and to provide for its membership and to prescribe its powers and duties; to

6th Day

provide for the regulation, examination, investigation, registration, issuance of certificates and permits, and for the revocation or suspension of certificates, registrations, and permits; to provide fees and charges and for expenses of said Board, making appropriations, prescribing penalties for violations of the Act, and repealing conflicting laws.

Was taken up.

Mr. Callahan offered the following amendment to the bill:

Section 3 (1) (e) is amended by deleting the entire subsection (i) and renumbering the following subsection (ii) to be subsection (i).

AMENDMENT TABLED

On motion of Mr. Flippo, the amendment was tabled.

Yeas 48; Nays 25.

Yeas:

Mr. Speaker	Cottingham	King	Roberts
Bank	Downing	Lutz	Robertson
Barron	Ellis	McBride	St. John
Benton	Erdreich	McCorquodale	Smith (K)
Boutwell	Falkenburg	McDonald	Smith (P)
Burgess	Flippo	McMillan	Stewart
Carnes	Goodwin	McNair	Stokes
Carter	Grainger	Meeks	Taylor
Casey	Hale	Merrill	Turner
Cauthen	Hearn	Nettles	Turnham
Chesnut	Hill	Owens	Waggoner
Coshatt	Jones (F)	Reid (R)	Wynot

—48

Nays:

Messrs.:	Crawford	Hobbie	Perloff
Barkett	Culver	Hughes	Therrell
Bassett	Dill	Jackson	Timmons
Boles	Easters	Kinsey	Wallace
Callahan	Edwards	May	Wise
Collins	Gafford	Naramore	Wood
Connell	Hardin		

—25

And the bill, H. 400, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 10.

Yeas:

Mr. Speaker	Carnes	Doss	Gray (F)
Adams	Carter	Downing	Grey (D)
Adwell	Casey	Edwards	Hale
Bank	Cauthen	Ellis	Hearn
Barron	Chesnut	Erdreich	Hill
Benton	Collins	Falkenburg	Hobbie
Boutwell	Connell	Flippo	Jackson
Brassell	Coshatt	Goodwin	Jones (F)
Burgess	Cottingham	Grainger	King

REGULAR SESSION
6th Day

617

Lutz	Merrill	Robertson	Turner
McBride	Mims	St. John	Turnham
McCluskey	Nettles	Smith (K)	Waggoner
McCorquodale	Owens	Smith (P)	Waldrop
McDonald	Perloff	Stewart	Warren
McMillan	Reed (T)	Stokes	Wise
McNair	Reid (R)	Taylor	Wood
May	Reynolds	Timmons	Wynot
Meeks	Roberts		
—70			
<i>Nays:</i>			
Messrs.:	Culver	Hardin	Therrell
Bassett	Dill	Hughes	Wallace
Boles	Gafford	Naramore	
—10			

And the bill:

H. 511. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hughes	Roberts
Adams	Culver	Jackson	Robertson
Bank	Dill	Jones (F)	St. John
Barkett	Downing	King	Smith (K)
Barron	Edwards	Kinsey	Smith (P)
Bassett	Ellis	Lutz	Stewart
Benton	Erdreich	McBride	Stokes
Boles	Falkenburg	McCluskey	Therrell
Boutwell	Flippo	McCorquodale	Timmons
Brassell	Gafford	McDonald	Turner
Burgess	Goodwin	McMillan	Turnham
Callahan	Grainger	Mathews	Waggoner
Carnes	Gray (F)	May	Waldrop
Carter	Grey (D)	Meeks	Wallace
Casey	Hale	Merrill	Warren
Cauthen	Hardin	Naramore	Williams
Chesnut	Hearn	Nettles	Wise
Connell	Hill	Owens	Wood
Coshatt	Hobbie	Reynolds	Wynot
Cottingham			
—77			

And the bill:

H. 512. To validate in certain cases municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Brassell
Agee	Barron	Boles	Burgess

6th Day

Carnes	Flippo	Lutz	St. John
Carter	Gafford	McBride	Smith (K)
Casey	Goodwin	McCluskey	Smith (P)
Cauthen	Grainger	McCorquodale	Stewart
Chesnut	Gray (F)	McDonald	Stokes
Collins	Grey (D)	McMillan	Therrell
Connell	Hale	May	Timmons
Coshatt	Hardin	Meeks	Turner
Cottingham	Hearn	Merrill	Turnham
Crawford	Hill	Naramore	Waldrop
Culver	Hobbie	Nettles	Wallace
Dill	Hughes	Owens	Warren
Downing	Jackson	Reed (T)	Williams
Edwards	Jones (F)	Reid (R)	Wise
Ellis	King	Reynolds	Wood
Erdreich	Kinsey	Roberts	Wynot
Falkenburg			

—77

And the bill:

H. 513. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hobbie	Reid (R)
Adams	Crawford	Hughes	Reynolds
Agee	Culver	Jackson	Roberts
Bank	Dill	Jones (F)	Robertson
Barkett	Downing	King	St. John
Barron	Edwards	Kinsey	Smith (K)
Bassett	Ellis	Lutz	Smith (P)
Benton	Erdreich	McBride	Stewart
Boles	Falkenburg	McCluskey	Stokes
Boutwell	Flippo	McCorquodale	Therrell
Brassell	Gafford	McDonald	Timmons
Burgess	Goodwin	McMillan	Turner
Carnes	Grainger	May	Turnham
Carter	Gray (F)	Meeks	Wallace
Casey	Grey (D)	Merrill	Warren
Cauthen	Hale	Naramore	Williams
Chesnut	Hardin	Nettles	Wise
Collins	Hearn	Owens	Wood
Connell	Hill	Reed (T)	Wynot
Coshatt			

—77

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 40. MOURNING THE DEATH OF E. P. COBURN, FORMER LEGISLATOR FROM COLBERT COUNTY.

Also:

H. J. R. 41. COMMENDING THE EMMA SANSOM HIGH SCHOOL BASEBALL TEAM OF GADSDEN, ALABAMA.

Also:

H. J. R. 42. COMMENDING WILLIAM STEWART ON BEING NAMED THE "ALUMNUS OF THE YEAR" BY THE UNIVERSITY OF ALABAMA JOURNALISM DEPARTMENT.

Also:

H. J. R. 44. COMMENDING PROFESSOR HENRY MOORE FOR HIS CONTRIBUTION TO THE REAPPORTIONMENT PROJECT COMMITTEE.

Also:

H. J. R. 45. COMMENDING THE JACKSONVILLE STATE UNIVERSITY BASEBALL TEAM.

McDOWELL LEE,
Secretary.

ADJOURNMENT

On motion of Mr. Robertson, the House adjourned until 2:00 o'clock p.m., Tuesday, June 5, 1973.

SEVENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 5, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. James Southerland, Interim Pastor First Baptist Church, Dothan, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Barron	Brassell	Cauthen
Adams	Bassett	Burgess	Chesnut
Adwell	Benton	Callahan	Collins
Agee	Boles	Carnes	Connell
Bank	Boutwell	Carter	Coshatt
Barkett	Bowers	Casey	Cottingham

Crawford	Hardin	Mathews	Smith (P)
Cross	Harris	May	Snell
Crowe	Headley	Meeks	Stewart
Culver	Hearn	Merrill	Stokes
Dill	Hill	Mims	Stubbs
Doss	Hobbie	Naramore	Taylor
Downing	Hughes	Nettles	Therrell
Drake	Jackson	O'Daniel	Timmons
Easters	Jones (F)	Owens	Turner
Edwards	King	Parker	Turnham
Ellis	Kinsey	Perloff	Waggoner
Erdreich	Lang	Pruitt	Waldrop
Falkenburg	Lutz	Reed (T)	Wallace
Fite	McBride	Reid (R)	Warren
Flipppo	McCluskey	Reynolds	Weeks
Gafford	McCorquodale	Roberts	Williams
Grainger	McDonald	Robertson	Wise
Gray (F)	McMillan	St. John	Wood
Grey (D)	McNair	Slate	Wynot
Hale	Manley	Smith (K)	

—103

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the sixth legislative day was approved.

LEAVES OF ABSENCE

On motion of Mr. Reynolds, leave of absence was granted for Mr. Goodwin, due to illness in his family.

On motion of Mr. Weeks, leave of absence was granted for Mr. Jones (E), due to illness.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 322. (With Substitute): To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1974, and September 30, 1975.

Mr. Fite, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and

ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 110. Relating to crimes and offenses; amending further Section 420, Title 14, Code of Alabama 1940, which prohibits certain acts on Sunday.

Mr. Owens, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 197. To create a nonprofit unincorporated legal entity to be known as the Alabama Insurance Guaranty Association; stating that the purpose of this Act is to provide a mechanism for the payment of claims of claimants and policyholders of certain insolvent insurance companies; providing for a Board of Directors and prescribing the powers and duties of the Association; providing for a plan of operation of the Association subject to the approval of the Superintendent of Insurance; prescribing the duties and powers of the Superintendent of Insurance; providing that the Association shall be subject to examination and regulation of the Superintendent of Insurance.

H. 200. To regulate further nonprofit corporations for establishment of plans for hospital and medical services; to amend further Sections 304, 305, 306, 307, 308, 309, 310, 311 and 313 of Title 28 of the Code of Alabama of 1940, as amended, relating to such nonprofit corporations; and to provide for the continuation of the existence of such corporations organized prior to and existing on the effective date of this Act.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 405. To designate the wild turkey as the official state game bird for the State of Alabama.

H. 224. Providing further for the conservation of the natural resources of the State; designating the caves and caverns of the State and the flora, fauna, mineral formations and deposits therein and other contents thereof as natural resources, worthy of preservation, protection and development for scenic, business and commercial purposes; regulating through licensure the use of such caves and their contents for business and commercial purposes; protecting the rights of property owners and the general public in caves; requiring cave owners to install and keep in repair certain equipment and abide by safety regulations, prescribed by the director of public safety, when caves are opened to the public; to provide for safety inspections of caves; to establish the State Speleological Committee; to provide for the dissemination of information about Alabama caves to the owners thereof and to the public; to designate certain acts relative to caves and their contents as criminal offenses and to prescribe penalties therefor.

H. 236. To amend Sections 1 and 2 of Act No. 266, H. 49, 1961 Special Session (Acts 1961, p. 2282) which regulates spear fishing, so as to delete the requirements for a special spear fishing license.

H. 357. To further amend Sections 4, 10 and 15 of Act No. 784, H. 316, (page 1069) Acts of Alabama 1953 Regular Session, as amended, which provides for the regulation of fresh water commercial fishing and prescribes penalties for violations of said Act.

H. 617. To amend Act No. 1260, Regular Session, 1971; to provide criminal penalties for willful or negligent violations of said act; to provide criminal penalties for knowingly making false statements, representations, or certifications in material filed or required to be maintained under said act, and for falsifying, tampering, or knowingly rendering inaccurate monitoring devices or methods required to be maintained under said act; and to provide an effective date.

H. 765. To make unlawful the selling of certain game fish caught or taken from any of the fresh waters of this or any other state, prescribing the penalty therefor.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 668. To alter, rearrange and extend the corporate limits of the Town of Detroit, Lamar County, Alabama.

H. 766. To provide for the compensation of jurors in Limestone County.

H. 767. Relating to Limestone County to repeal Act No. 83, H. 327, 1959 Regular Session (Acts of 1959, p. 499), entitled "An Act To regulate, define and license the practice of barbering in Limestone County, Alabama; to provide rules and regulations concerning sanitation and cleanliness in and about barber shops in said county; to create a board of barber examiners for said county, and define its powers and duties; to fix the punishment for the violation of the provisions of this Act."

H. 768. To amend Section 18 of Act No. 403, H. 330, 1971 Regular Session, (Acts of 1971, p. 689) as amended, entitled "An Act Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this act a State Board of Barber Examiners, and defining violation of this act and prescribing penalties therefor" so as to delete Limestone County from the list of counties to which this act does not apply.

H. 769. Relating to Limestone County; to authorize the county governing body to print and sell a book about the history of Limestone County.

H. 770. Relating to Limestone County; providing that the governing body of Limestone County may provide for the burial or burning of dead cattle, swine, livestock or other such animals when the owner or custodian of the animal fails to do so.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

REGULAR SESSION
7th Day

623

H. 111. (With Amendment): Relating to counties having a population in excess of 600,000 inhabitants; providing that retail and wholesale automotive parts businesses, antique dealers, flea markets, gifts shops or bowling alleys in such counties may operate on Sunday.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 402. Relating to counties having a population of not less than 60,000 nor more than 65,000 inhabitants according to the most recent federal decennial census; to provide for the distribution of fines and forfeitures in certain cases.

H. 750. Relating to counties having a population of not less than 42,000 nor more than 49,500 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 665. To provide further for the compensation of deputy sheriffs and the jailer in counties having populations of not less than 42,000 nor more than 49,500.

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 633. (With Amendment): Relating to the profession and practice of optometry; defining the profession and practice of optometry; providing for the regulation of optometrists; creating the State Board of Optometry, and prescribing its powers, duties and authority; authorizing the State Board of Optometry to suspend and revoke licenses, providing the manner of appealing from the decisions of the Board to the courts of this state; and providing for the enforcement of the act and prescribing penalties for violations thereof.

MOTION TO RE-REFER H. 633

Mr. Erdreich offered the motion that the bill, H. 633 be re-referred from the Standing Committee on Public Welfare to the Standing Committee on Health.

MOTION TO TABLE LOST

The motion of Mr. McCorquodale to table the motion offered by Mr. Erdreich was lost.

Yeas 32; Nays 33.

Yeas:

Messrs.:	Carnes	Crawford	Jackson
Adams	Carter	Cross	Kinsey
Agee	Chesnut	Downing	Lang
Barron	Connell	Edwards	McCorquodale
Burgess	Coshatt	Gray (F)	Merrill
Callahan	Cottingham	Grey (D)	Owens

Slate	Stokes	Waggoner	Wood	
Snell	Therrell	Waldrop	Wynot	
Stewart				—32

Nays:

Mr. Speaker	Dill	Harris	Reid (R)	
Bassett	Doss	Hobbie	Reynolds	
Boles	Erdreich	Hughes	Robertson	
Boutwell	Falkenburg	McDonald	St. John	
Bowers	Gafford	McNair	Timmons	
Brassell	Grainger	Meeks	Turnham	
Cauthen	Hale	Naramore	Wallace	
Collins	Hardin	Nettles	Warren	
Culver				—33

H. 633 RE-REFERRED

The question was then on the motion of Mr. Erdreich that the bill, H. 633, be re-referred from the Standing Committee on Public Welfare to the Standing Committee on Health, and the motion was adopted.

Yeas 34; Nays 33.

Yeas:

Mr. Speaker	Cross	Gafford	Naramore	
Adwell	Crowe	Grainger	Nettles	
Agee	Culver	Hale	Roberts	
Bassett	Dill	Hardin	Robertson	
Boutwell	Doss	Hill	St. John	
Bowers	Drake	Hughes	Stokes	
Brassell	Erdreich	King	Timmons	
Casey	Falkenburg	McNair	Turnham	
Cauthen	Flippo			—34

Nays:

Messrs.:	Coshatt	Jackson	Smith (K)	
Barkett	Cottingham	Kinsey	Snell	
Barron	Crawford	Lang	Stewart	
Burgess	Downing	McCorquodale	Stubbs	
Callahan	Easters	McDonald	Waggoner	
Carnes	Edwards	Merrill	Waldrop	
Carter	Fite	Perloff	Wood	
Chesnut	Gray (F)	Slate	Wynot	
Collins	Grey (D)			—33

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for the Journal to show Messrs. Perloff and Ellis voting "Yea" on the motion of Mr. Erdreich to re-refer the bill, H. 633.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Merrill, Stewart and Bank:

H. 804. To provide that a retired member of the Teachers' Retirement System of Alabama may earn up to \$4,800 from any source without affecting their retirement pay.

Judiciary.

By Mr. Flippo:

H. 805. To amend Section 402 of Title 51, Code of Alabama of 1940, so as to provide for the deduction of certain dividends received by domestic and foreign corporations.

Ways and Means.

By Mr. Flippo:

H. 806. To amend Section 5 of Act No. 542, Regular Session 1959, as amended, which Act regulates the registration of securities, by requiring confirmation by letter or telegram of a notice by telephone to the Security Commissioner of the effective date and time when a federal registration statement becomes effective.

Judiciary.

By Mr. Flippo:

H. 807. To amend Sections 7 and 8 of Act No. 740, Regular Session 1969, which Act created the Alabama Securities Commission, in order to revise salaries of the Director and Deputy Director of said Commission.

Ways and Means.

By Mr. Waldrop:

H. 808. To amend further Title 26, Section 293, Code of Alabama 1940, as last amended, which act relates to medical, surgical and hospital services under the workmen's compensation law, so as to provide that an employee shall have the right to select his own physician at his employer's expense at certain times provided such physician is duly licensed to practice medicine in this state.

Commerce and Transportation.

By Messrs. St. John and Dill:

H. 809. To amend further Act No. 422, H. 325, Regular Session 1951, (Acts 1951, p. 745) as amended, which Act regulates the conduct of the real estate business in Alabama, by including travel expenses for certain officials of the Real Estate Commission, by exempting license fees from the Consumer Credit Act of 1971; by revising the requirements for license; by revising the appeals procedure; and by repealing the requirement for the posting of a roster for licensees.

State Administration.

By Messrs. Brassell and Turnham:

H. 810. To provide an additional expense allowance for the judge of the circuit court of the twenty-sixth judicial circuit of Alabama.

Ways and Means.

By Mr. Easters:

H. 811. To amend Section 1 of Act No. 1054, H. 1505, 1971 Regular Session (Acts 1971, p. 1902), which provides for an additional expense allowance of \$30.00 per month for each member of the county school board of counties having a population of not less than 34,100 nor more than 34,900; and to make the provisions of this amendatory act retroactive to September 7, 1971.

Local Legislation No. 1.

By Messrs. Erdreich, Falkenburg, McBride, Roberts, Doss, Wood, Carnes, Waldrop, Boutwell, McMillan, Dill, Grainger and Adwell:

H. 812. To establish an Alabama Scenic Rivers System; to provide for the selection and maintenance of scenic rivers; to provide for the acquisition of land adjacent to selected scenic river; and to provide for additional powers and duties for the Director of Conservation.

Conservation.

By Mr. Easters:

H. 813. To repeal Act No. 948, H. 1017, Regular Session 1951 (Acts 1951, p. 1618), an act relating to counties having populations of not less than 30,000 nor more than 33,500, according to the 1950 or any subsequent federal decennial census and having two courthouses; providing for the appointment of deputies or clerks for the offices of the tax assessor, tax collector and circuit clerk of such counties.

Local Legislation No. 1.

By Mr. Easters:

H. 814. To provide for the appointment of a deputy or clerk for the circuit clerk of all counties having populations of not less than 34,100 nor more than 34,900, according to the most recent federal decennial census; and to provide for retroactive effect of this Act.

Local Legislation No. 1.

By Mr. Fite:

H. 815. To provide additional exemptions from the Marion County sales and use tax law.

Local Legislation No. 1.

By Mr. McBride:

H. 816. To amend Section 366 of Title 52 of the Code of Alabama 1940 as amended to provide an increase in the retirement allowances of members of the Teachers' Retirement System of Alabama.

Ways and Means.

By Messrs. Smith (P), Grainger, Agee, Edwards, King, Casey, Culver, Bank, Parker, Hale and Lutz:

H. 817. To provide for participation by the State of Alabama in the Interstate Library Compact.

Agriculture

By Messrs. McNair, Erdreich, Gafford, Doss, Falkenburg, Boutwell, Wallace, Timmons, Dill, McMillan, Ellis, Boles, Hughes, Meeks, Waggoner, McBride and Weeks:

H. 818. To validate the attempted incorporation of the inhabitants of any territory lying within a county having a population of 600,000 or more as a municipal corporation, where any portion of said territory, or its perimeter, lies within three miles of an existing city or town, and the Judge of Probate of said county has made an order that the inhabitants of said territory are incorporated as a town or city; provided however, that this act shall not apply to the incorporation of any municipality heretofore held to be invalid by a court of competent jurisdiction.

Local Legislation No. 2.

By Messrs. Doss, Wallace, Falkenburg, Ellis, Bowers, McNair, Weeks, Boutwell, Dill, Waggoner, Gafford, McMillan, Boles, Hughes, Jones (E), Timmons and Meeks:

H. 819. To amend Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, Page 797 et seq.); to name and define officers of the Birmingham-Jefferson County Civic Center Authority, and authorize the hiring of architects.

Local Legislation No. 2.

By Messrs. Doss, Wallace, Falkenburg, Erdreich, Ellis, Boutwell, Weeks, Dill, Bowers, Waggoner, Gafford, McMillan, Boles, Hughes, Timmons and Meeks:

H. 820. To amend Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of five (5) Directors for the county transit authority provided for by said Act, to provide for the appointment of one director of such authority by each of the three largest participating municipalities in such county, to provide for the initial terms of office of such Directors, to provide for the termination of the term of office of the directors of any existing authority and the election of new directors for such authority, and to provide for the dissolution of such authority and the disposition of its property.

Local Legislation No. 2.

By Messrs. Doss, Wallace, Falkenburg, Erdreich, Ellis, Boutwell, Weeks, Dill, Adwell, Waggoner, Gafford, McMillan, Boles, Hughes, Jones (E), Timmons, Bowers and Meeks:

H. 821. To provide for refund of the state tax paid on lubricating oil, gasoline, and motor fuel used or consumed by authorities now or hereafter organized under the provisions of Act No. 993 adopted at the 1971 Regular Session of the Alabama legislature, as amended; prescribing the procedure for affecting such refunds; and prescribing the powers, duties and authority of the Commissioner of Revenue in the administration and enforcement of the Act.

Ways and Means.

By Messrs. Doss, Falkenburg, Erdreich, Ellis, Boutwell, Bowers, Weeks, Dill, Waggoner, Gafford, McMillan, Wallace, McNair, Boles, Hughes, Jones (E), Timmons and Meeks:

H. 822. To amend Sections 1, 6, 7, and 9 of Act Number 453 of the 1967 Regular Session of the Legislature of Alabama (1967 Acts of Alabama, Page 1129, et seq.), entitled "An Act to create in each city of the State of Alabama having a population of three hundred thousand or more according to the last or any subsequent Federal Census a Pension and Relief Fund for officers and employees of the Library Board of such city and for the widows and dependents of such officers and employees, to provide for a custodian of such fund and to provide for the investment, protection, management and distribution of such fund by a Board of Managers created for such purpose."

Local Legislation No. 2.

By Messrs. Stubbs, Bowers, Jones (F), Owens, Waggoner and Doss:

H. 823. To purify, preserve and maintain the Cahaba River; to prohibit the construction of additional dams and impoundments; to provide for the removal of those already constructed that are not owned by public utilities or governmental bodies; to prescribe remedies and penalties for violations of this Act and to provide otherwise for its enforcement.

Conservation.

By Messrs. Callahan, Therrell, Wood, Downing, Roberts, Perloff, Nettles, Stokes, Collins and Lyons:

H. 824. A bill to exempt the Mobile County Law Enforcement Association, a non-profit corporation organized under the laws of Alabama, from all state, county and municipal sales taxes.

Ways and Means.

By Messrs. Hale, Hobbie, Grainger, McDonald, St. John and Fite:

H. 825. Relating to the payment of certification fees by nurses and teachers, allowing such fees to be paid by personal check.

Education.

By Messrs. Taylor, Jones (F), Barron, Harris and Hobbie:

H. 826. To amend Title 13, Section 125 (75e) Code of Alabama, 1940, as amended, pertaining to establishing investigators for the District Attorney's Office for the Fifteenth Judicial Circuit of Alabama, providing for the hiring, salaries, expenses, authority and duties of such officers.

Local Legislation No. 4.

By Messrs. Taylor and Jones (F):

H. 827. To create an Alabama Recreation Commission; to provide for the members of the Commission, their appointments, qualifications, and term of office; to provide for the powers and duties of the Commission; to provide for the powers and duties of the Executive Director; to define the terms used in this Act; to appropriate funds; and to abolish the State Physical Fitness Commission.

Ways and Means.

By Messrs. Roberts, Grainger, Doss, King, Wallace, Hale, Nettles, Stewart, Callahan, Wood, Mims, Stokes, Agee, Snell, Collins, Manley, Bank, Jones (F), Lutz, Erdreich, Turner, Benton, Merrill, Cottingham, Downing, Carnes, Kinsey, Smith (P), Warren, Hobbie, Harris, Jackson, Adams, Brassell, Connell, Lang, Bowers, Chesnut, Weeks, Falkenburg, Casey, Waldrop, Reid (R), Coshatt, Carter, Williams, Slate, Wynot, Turnham, Waggoner, McMillan, Timmons, Dill, Boles, Hughes, Ellis, McNair, McBride, Adwell, Meeks, Taylor, Burgess, Gray (F), Therrell, Hardin, May, Wise, Drake, Crowe, Smith (K), Edwards, O'Daniel, St. John, McDonald, Flippo, Hill, Easters and Reed (T):

H. 828. To amend Title 22, Section 199 and 199(1) relating to the system of care for tuberculosis patients.

Ways and Means.

By Mr. Taylor:

H. 829. To amend Section 29 of Title 8, Code of Alabama 1940, as amended, so as to authorize the Commissioner of Conservation and Natural Resources to designate persons residing at the county seat to issue hunting and fishing licenses so long as the probate judge or license commissioner does not object to his doing so.

Conservation.

By Mr. Taylor:

H. 830. To consolidate the operation of the public libraries of Montgomery County and of the city of Montgomery; to authorize and require the governing bodies of the city of Montgomery and of Montgomery County to create a joint library board to supervise and consolidate the operation of all public libraries, bookmobiles and related programs in Montgomery County; to provide for the appointment, duties, compensation and powers of said joint library board, and to repeal conflicting laws.

Local Legislation No. 4.

By Mr. Parker:

H. 831. Relating to Tuscaloosa County: Providing for the appointment of an assistant circuit clerk of the circuit court of Tuscaloosa County; prescribing the duties and authority of such clerk, fixing the compensation and providing for payment from the general funds of the county.

Local Legislation No. 1.

By Messrs. Crawford, Lyons and Connell:

H. 832. To amend Sections 1 and 5 of Act No. 21, H. 28, as amended, enacted at the 1969 Special Session of the Legislature of Alabama, relating to raising revenue and levying a tax against certain persons and utilities and prescribing rates and exclusions therefrom, and providing for collecting such tax and enforcing payment thereof, and providing for the disposition of the proceeds from said tax; to delete the phrase "other than by a municipality or other municipal entity organized by a utility" in Section 1, and to add new Sections (h) and (i) to Section 5 of Act 21.

Ways and Means.

By Messrs. Crawford, Lyons and Connell:

H. 833. To further amend the title and Section 1 of Act No. 756, H. 733, enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to include, in connection with any industry for the manufacturing, processing or assembling of any agricultural or manufactured products, facilities for producing industrial water for use in connection with the operation of such industry.

Ways and Means.

By Messrs. Ellis, Wallace, Falkenburg, Doss, Timmons, Hughes, Waggoner, McBride, Weeks, Boutwell, Stokes, Downing, Callahan and Headley:

H. 834. To allow officers of the International Association of Firefighters and Fraternal Order of Police time off with pay to attend scheduled meetings of these organizations.

Ways and Means.

By Mr. McCorquodale:

H. 835. To make a supplemental appropriation to the Agricultural Center Board for the Livestock Coliseum for the fiscal year ending September 30, 1973.

Ways and Means.

By Messrs. Ellis, Boutwell, Weeks, Dill, Waggoner, Gafford, McMillan, Doss, Boles, Hughes, Falkenburg, Timmons and Meeks:

H. 836. To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court or County Misdemeanor Court now or hereafter created, the additional Deputy District Attorney provided for and authorized in Act No. 338 H. 881, Regular Session 1967, approved September 1, 1967, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Local Legislation No. 2.

By Mr. Taylor:

H. 837. To provide liability insurance on state motor vehicles and on duly authorized drivers of such vehicles; to authorize and empower the finance department and director thereof to carry out the provisions of this act.

Ways and Means.

By Mr. Lang:

H. 838. Relating to all counties having a population of not less than 18,500 nor more than 20,500, according to the most recent federal decennial

census; to authorize and require the State Department of Revenue to refund to any such counties a portion of the State sales tax paid on purchases made with food stamps; and to provide for the use of such refunds.

Ways and Means.

By Messrs. Hobbie, Jones (F), Barron and Taylor:

H. 839. To provide punishment for conspiring to commit any act punishable under Act No. 1407, H. 414, Regular Session 1971 (Acts 1971, p. 2378), known as the Uniform Controlled Substance Act.

Health.

By Messrs. Hill, Flippo, Cross, Drake, Chesnut, Reynolds, Goodwin, Carter, Benton, Lang, Kinsey, Gray (F), Edwards, Grey (D), Reid (R), Waldrop, O'Daniel, Barkett, Fite, Casey and St. John:

H. 840. To provide that county highway employees of any county of the State who are members of the State Employees' Retirement System as a result of the responsibility for the construction, repair or maintenance of all county roads or bridges within such county being assumed by the State Highway Department or any other agency of the State, shall, at the employee's option, be entitled to receive credit for service with such county in such capacity rendered prior to becoming a member of the Employees' Retirement System provided such county highway employee pays into such Retirement System the required amount of contributions and interest for such period of service with the county and provided that such county highway employee pays into the retirement system the employer's amount of contribution and interest, unless the county elects to pay this amount; to provide that the Board of Control of the Employee's Retirement System shall adopt rules and regulations and shall fix and determine the accredited service and the amount to be contributed to the Retirement System by such employee and the county where he served; to provide that after the effective date of this act any such county highway employees who become members of the Employees' Retirement System shall be entitled to the provisions of this act.

Ways and Means.

By Mr. Hill:

H. 841. To amend Section 107, Title 15, Code of Alabama 1940, which relates to time of issuance of search warrants, so as to allow the magistrate to issue night time search warrants, when in his discretion, the public interest requires such issuance.

Judiciary.

By Mr. Hill:

H. 842. To amend Section 107, Title 15, Code of Alabama 1940, relative to night time issuance of search warrants, so as to allow the magistrate to issue such warrant in the night time when there is urgent necessity therefor.

Judiciary.

By Mr. Hill:

H. 843. To amend Section 107, Title 15, Code of Alabama 1940, which relates to the time of issuance of search warrants, so as to allow the

magistrate to issue such warrant in the night time, if there is evidence that the items or persons to be searched or seized may be removed or may escape before daytime.

Judiciary.

By Mr. Hill:

H. 844. To amend Section 220, Title 29, Code of Alabama 1940, which relates to time of issuance of search warrants for contraband liquor, so as to bring such warrants under the general search warrant provisions of Title 15, Section 107, Code of Alabama 1940.

Judiciary.

By Mr. Harris:

H. 845. Relating to the Fifteenth Judicial Circuit; to provide for additional Circuit Judge in such Circuit; defining his jurisdiction, powers, right and authority; his qualifications and duties; to set his compensation and providing for the appointment of a bailiff and court reporter.

Judiciary.

By Mr. Smith (K):

H. 846. Relating to counties having populations of not less than 33,550 nor more than 34,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; and repealing conflicting Acts.

Local Legislation No. 1.

By Mr. Parker:

H. 847. To further amend Act No. 491, S. 444 of the Regular Session of 1961 (Acts, 1961 Regular Session, p. 563) which provides for a commission form of government for cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census, in relation to the compensation of the chairman and associate members of the commission.

Local Legislation No. 1.

By Messrs. Agee and McCorquodale:

H. 848. To further amend Section 2 of Act No. 31, S. 16, Special Session 1962 (Acts 1962, p. 42) as amended, which Act provides further for the compensation of members of the county board of education in certain counties having a population of not less than 16,000 nor more than 16,250 inhabitants.

Local Legislation No. 1.

By Mr. Agee:

H. 849. To authorize and empower the County Commission or such other governing body of the County to divide or redive the County into

Commission Districts and to provide for the election of members of the Commission or governing body by District or County at Large.

Local Legislation No. 1.

By Mr. Easters:

H. 850. Relating to all counties having a population of not less than 34,100 nor more than 34,900, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Local Legislation No. 1.

By Mr. Hobbie:

H. 851. To provide that no firefighting vehicle or apparatus in this State shall leave the station on call unless certain officers are present; and in case of absence of said officers, the city or county fire department shall provide such off-duty personnel.

Local Government.

By Mr. Snell:

H. 852. To designate Asteriated Quartz as the official gem of the State of Alabama, commonly called Blue Star Quartz.

Conservation.

By Mr. Adwell:

H. 853. To apply only in counties having populations of more than 600,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

Local Legislation No. 2.

By Messrs. Doss, McNair, Boutwell, Erdreich, Hughes, Dill, Waggoner, Meeks, Weeks, Ellis, Gafford and McBride:

H. 854. To fix the fee and allowance of the sheriffs of all counties having populations of 500,000 or more according to the most recent federal decennial census, for serving summons on witnesses; and repealing conflicting laws.

Local Legislation No. 2.

By Messrs. Gafford, Doss, McMillan, Timmons, Hughes, Dill, Meeks, Erdreich, McNair, Boutwell, Weeks, Waggoner, Falkenburg, Ellis, Wallace, McBride and Boles:

H. 855. To further amend Act No. 768, H. 566, Regular Session 1967, (Acts 1967, p. 1624) which relates to compensation of election officers in counties which have a population in excess of 500,000, according to the most recent federal decennial census, by awarding additional compensation to any person acting as chief inspector, assistant chief inspector, or clerk.

Local Legislation No. 2.

By Messrs. Gafford, Owens, Doss, Naramore, McMillan, Timmons, Hughes, Dill, Boutwell, Lyons, Weeks, Waggoner, Falkenburg, Ellis, Wallace,

Stubbs, McBride, Parker, Bowers, Culver, Bank, Cottingham, Hardin, Downing, May, Collins, Wise, Jackson, Lang, Connell, Crawford, Snell, Smith (K), Edwards, Barkett, Smith (P), Coshatt, Wynot, Carnes, Casey, McCluskey, Turner, Agee, McCorquodale, Brassell, Bassett, Hobbie, Mims, Nettles, Callahan, O'Daniel, Barron, Crowe, Slate, Stewart, Hale, King, Waldrop, Chesnut, Cross, Carter, Lutz, Flippo and Grey (D):

H. 856. To define the crime of looting and provide penalties for the commission thereof.

Judiciary.

By Messrs. Downing, Roberts and Stokes:

H. 857. To amend further Act No. 376, S. 280, Regular Session 1947 (Acts of Alabama 1947, page 267), an act authorizing and empowering certain governing bodies and agencies to contract for, obtain and maintain policies of group life, health, accident, and hospitalization insurance, and insured retirement plans for certain of its officers and employees in order to authorize and empower the board of directors of any county or municipal hospital to provide such insurance and retirement plans for its officers and agencies.

Local Government.

By Messrs. Waggoner, Jones (E), Meeks, Boles, Hughes, Wallace, Timmons, Boutwell, Doss, Adwell, Falkenburg and McNair (With Notice and Proof):

H. 858. To provide retirement allowances for elected officials in the City of Bessemer, Alabama, and to provide for the payment of such allowances.

Local Legislation No. 2.

Notice and Proof H. 858:

A BILL
TO BE ENTITLED
AN ACT

To provide retirement allowances for elected officials in the City of Bessemer, Alabama, and to provide for the payment of such allowances.

Be It Enacted by the Legislature of Alabama:

Section I: Any elected official of the City of Bessemer, who is presently serving or who in the future may serve as such elected official and serves for a period of more than 16 years, shall be paid a retirement allowance equal to 50% of the average compensation he received as a salary during the five highest paid years while he served as such elected official, payable monthly.

Section II: The retirement benefits provided for by this Act shall commence on the first day of the first month following the day the person entitled thereto attains his 65th birthday and is no longer serving as a full time elected official of a city, county, state or federal government.

Section III: The retirement pension provided by this Act shall be paid for from the general funds of the City except that if any portion of the salary

7th Day

of any elected official has been paid by either or both of the utilities of the city, then such utility shall pay from its funds the equivalent percentage provided in Section I above of the retirement allowance received by such official, from the funds of such utility.

Section IV: This Act shall not apply to the City Attorney or the Recorder, as they are not elected officials.

Section V: This Act shall become effective upon its passage and approval by the Governor and its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared John M. McElroy, Who being duly sworn, says on oath that he is Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were May 4, 11, 18, 25, 1973.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

JOHN M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 25th day of May, 1973.

JOHN E. SMITH.
Notary Public.

By Messrs. Perloff, Casey, Carnes, Wood, and Harris:

H. 859. To further amend Section 1 of Act 288, S. 161, Regular Session (Acts 1945, p. 478) as amended, to provide requirements to qualify as a Supernumerary Circuit Judge; to provide for the termination of all Supernumerary Circuit Judgeships when all circuit judges holding office on the effective date of this amendatory act or assuming office within one year from the effective date shall have vacated the office of Supernumerary Circuit Judge through death or otherwise.

Judiciary.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Robertson, Bank, Culver and Parker:

H. J. R. 76. COMMENDING JAMES R. MAXWELL UPON HIS RETIREMENT AS TAX COLLECTOR OF TUSCALOOSA COUNTY.

WHEREAS, James R. Maxwell first assumed duties of Tax Collector for Tuscaloosa County on October 1, 1949, after receiving the Democratic nomination in the primary of 1948 and being elected in the general election of that same year; and

WHEREAS, James R. Maxwell has been re-elected continuously since his first election and is now serving his sixth term; and

WHEREAS, the Citizens of Tuscaloosa County have elected James R. Maxwell without any political opposition each time he ran for re-election; and

WHEREAS, James R. Maxwell did not offer for re-election in the primary election of 1972, and plans to retire at the end of his present term on September 30, 1973; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature does commend James R. Maxwell for his faithful service to the People of Tuscaloosa County as Tax Collector, and does wish him a long and happy retirement.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to James R. Maxwell in Tuscaloosa.

On motion of Mr. Robertson, the rules were suspended and the resolution was adopted.

Also:

By Mrs. Wynot:

H. R. 77. WHEREAS, John Pemberton has dutifully served the Alabama House of Representatives as its Clerk since 1963; and

WHEREAS, during his 10 years of service, the said John Pemberton's time and efforts have been given generously and unselfishly; and

WHEREAS, the said John Pemberton has demonstrated outstanding dedication, unequalled industry, unimpeachable integrity, and unquestioned loyalty;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That the said John Pemberton is hereby commended for his years of dedicated service and the members of the House do hereby express their sincere appreciation to the said John Pemberton for the dignity and dispatch with which he performed his many duties.

On motion of Mrs. Wynot, the rules were suspended and the resolution, H. R. 77, was adopted.

Also:

By Mr. Easters:

H. J. R. 78. TO CREATE AN INTERIM COMMITTEE TO STUDY THE STATE WELFARE PROGRAM

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby established a joint interim committee on welfare which shall study and examine the opera-

tion of the State Department of Pensions and Security and all facets of any welfare program operated or administered by the State of Alabama. The committee shall be comprised of three members of the House of Representatives who shall be appointed by the Speaker of the House and two Senators who shall be appointed by the Lieutenant Governor. A chairman of the committee shall be appointed by the Governor from among the membership of the committee. The committee shall file its written report to the Legislature and the Governor within twelve months after adjournment of the 1973 Regular Session of the Alabama Legislature.

BE IT FURTHER RESOLVED, That the Clerk of the House and the Secretary of the Senate shall furnish such clerical assistance as may be necessary for the satisfactory performance of the committee's duties. The members of the committee shall receive their regular legislative pay while on the business of the committee and further shall be entitled to their reasonable and necessary expenses incurred on the business of the committee, all of which shall be paid out of funds appropriated for the use of the Legislature.

The resolution, H. J. R. 78, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Malone:

S. J. R. 14. TO EXTEND THE LIFE OF THE HEALTH STUDY COMMISSION.

WHEREAS any bills in the field of health legislation have already been prefiled in the Legislature and many more bills in the field of health legislation will be introduced during the coming regular session; and

WHEREAS there is a great need to continue the Health Study Commission as created by Act No. 2226, S. J. R. 70, 1971 Regular Session (Acts 1971, p. 3580); and

WHEREAS grant funds are available to continue the Health Study Commission during the 1973 Regular Session of the Alabama Legislature without any cost to the state; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Health Study Commission as created by Act No. 2226, S. J. R. 70, 1971 Regular Session (Acts of 1971, p. 3580) shall continue in existence and shall continue to exercise all its powers, functions and duties as granted in said Act No. 2226, 1971 Regular Session, and shall make its final report on its conclusions and recommendations to the Speaker of the House, the President of the Senate and the Governor of Alabama at such time during the 1973 Regular Session of the Alabama Legislature as it deems appropriate rather than on the third legislative day of the 1973 Regular Session of the Alabama Legislature as originally provided in said Act No. 2226 of the 1971 Regular Session.

McDOWELL LEE,
Secretary.

7th Day

SENATE MESSAGE

On motion of Mr. Bank, the rules were suspended in order to bring up for immediate consideration the resolution, S. J. R. 14, set out in the above and foregoing Message from the Senate.

Yeas 64; Nays 1.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	McBride	St. John
Bank	Doss	McCluskey	Snell
Barron	Downing	McDonald	Stewart
Boles	Drake	McMillan	Therrell
Boutwell	Easters	McNair	Timmons
Carnes	Edwards	May	Turnham
Carter	Ellis	Meeks	Waggoner
Casey	Fite	Merrill	Waldrop
Cauthen	Flippo	Mims	Wallace
Chesnut	Grey (D)	Naramore	Warren
Connell	Hale	Nettles	Weeks
Coshatt	Hardin	Owens	Wise
Cottingham	Hill	Parker	Wood
Crawford	Hobbie	Reid (R)	Wynot
Cross	Hughes	Reynolds	

—64

Nay: Mr. Slate.

—1

RESOLUTION ADOPTED

On motion of Mr. Bank, the House concurred in and adopted the resolution, S. J. R. 14.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hill	Reynolds
Adams	Crawford	Hobbie	Roberts
Adwell	Cross	Hughes	Robertson
Bank	Culver	King	St. John
Barron	Dill	McBride	Smith (K)
Bassett	Doss	McCluskey	Smith (P)
Boles	Downing	McDonald	Snell
Boutwell	Drake	McMillan	Stewart
Bowers	Easters	McNair	Therrell
Brassell	Edwards	May	Timmons
Burgess	Ellis	Meeks	Turnham
Carnes	Erdreich	Merrill	Waggoner
Carter	Falkenburg	Mims	Waldrop
Casey	Fite	Naramore	Wallace
Cauthen	Flippo	Nettles	Warren
Chesnut	Grainger	Owens	Weeks
Collins	Grey (D)	Parker	Wise
Connell	Hale	Pruitt	Wood
Coshatt	Hardin	Reid (R)	Wynot

—76

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Pierce, Bailes, Baker, Branyon, Carr, Clark, Cook, Dominick, Dozier, Edington, Fine, Foshee, Gilmore, Givhan, Harris, Hawkins, Horne, Jones, King, Lindsey, Littleton, Lybrand, McLain, Malone, Melton, Noonan, O'Bannon, Owen, Pelham, Register, Shelby, Vacca, Weaver, Wilder and Wilson:

S. J. R. 25. NAMING THE CLASSROOM BUILDING AT AUM
"O.J. GOODWYN HALL".

WHEREAS, The Montgomery branch of Auburn University (AUM) is experiencing phenomenal growth and success, and is rapidly becoming one of the greatest educational and economic assets in this part of the State; and

WHEREAS, The lovely new campus in the eastern section of Montgomery is the fulfillment of a dream of Honorable O.J. (Joe) Goodwyn, who sponsored the legislation establishing AUM in 1967; and

WHEREAS, If any one man can be said to be the father of AUM, it is Joe Goodwyn, a former colleague whom this body holds in highest esteem and respect; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the classroom building at Auburn University at Montgomery be and is henceforth named "O.J. Goodwyn Hall", to honor the foresight and wisdom of this dedicated friend.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Mr. Goodwyn, Dr. H. Hanly Funderburk, President AUM, and the Board of Trustees, Auburn University.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Harris, the House concurred in and adopted the resolution, S. J. R. 25, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Weaver:

S. J. R. 23. COMMENDING MR. OTIS R. BURTON UPON HIS RETIREMENT AS TAX COLLECTOR OF TALLADEGA COUNTY.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 23, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Messrs. Cottingham, Turner, Burgess, and Lyons:

H. J. R. 79. HONORING COLONEL SAMUEL P. McCLURKIN.

WHEREAS Colonel Samuel P. McClurkin, Commander of the 29th Flying Training Wing, Craig Air Force Base, Alabama since April 1971, has rendered outstanding service to his state and nation; and

WHEREAS Colonel McClurkin, native of Birmingham, was graduated from Woodlawn High School and subsequently from Auburn University where he was captain of the 1946 football team and particularly noted as a fast and deceptive pass receiver; and

WHEREAS Colonel McClurkin has had a brilliant career in the United States Air Force, having served effectively and with complete dedication to duty both in this country and in foreign service which includes three overseas tours of duty in Germany, China, and Thailand; and

WHEREAS Colonel McClurkin's awards and decorations include the Legion of Merit, the Distinguished Flying Cross with one Oak Leaf Cluster, and the Air Medal with six Oak Leaf Clusters; and

WHEREAS under Colonel McClurkin's command, the flying training wing at Craig Air Force Base has been rated first in practically every category applicable to bases of its size, and he is probably the most successful and popular commander ever stationed at Craig where he is not only popular with both the military and civilians at the base, but is highly regarded by the people of Selma; and

WHEREAS Colonel McClurkin is married to the former Marjorie McQueen and they are the parents of three fine children, Marcia Jane, Janet and Samuel P. McClurkin, third; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Colonel McClurkin for his successful and brilliant career both in military and civilian life and assure him that we are indeed grateful for his many contributions to this state and nation.

RESOLVED FURTHER, That a copy of this resolution be sent to Colonel McClurkin and to the Chief of Staff of the United States Air Force.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 79, on the Clerk's desk for one legislative day.

MOTION TO RE-REFER H. 316 TABLED

On motion of Mr. Burgess, the motion of Mr. King to refer the bill, H. 316, from the Standing Committee on Public Welfare to the Standing Committee on Health, was tabled.

REGULAR SESSION
7th Day

641

Yeas 47; Nays 29.

Yeas:

Messrs.:	Crawford	Jones (F)	St. John
Barkett	Drake	McCluskey	Smith (K)
Boles	Easters	McCorquodale	Stewart
Bowers	Edwards	McDonald	Stubbs
Brassell	Ellis	Meeks	Therrell
Burgess	Fite	Merrill	Timmons
Carnes	Goodwin	Mims	Turner
Chesnut	Grey (D)	Perloff	Waldrop
Collins	Headley	Reid (R)	Wallace
Connell	Hobbie	Reynolds	Warren
Coshatt	Hughes	Roberts	Wood
Cottingham	Jackson	Robertson	Wynot
			—47

Nays:

Messrs.:	Cauthen	Hill	Nettles
Adams	Dill	King	Owens
Agee	Doss	Lang	Slate
Bank	Downing	Lutz	Smith (P)
Barron	Erdreich	McBride	Snell
Benton	Flippo	McMillan	Stokes
Boutwell	Grainger	McNair	Weeks
Callahan	Hale		—29

MOTION TO RECONSIDER H. 633

Having voted on the prevailing side, Mr. Robertson moved to reconsider the vote by which the bill, H. 633 was re-referred from the Standing Committee on Public Welfare to the Standing Committee on Health, and the motion was adopted.

Yeas 41; Nays 28.

Yeas:

Messrs.:	Coshatt	Lang	Snell
Adams	Crawford	McCorquodale	Stewart
Barkett	Culver	McDonald	Stubbs
Benton	Downing	Mims	Therrell
Bowers	Drake	Reid (R)	Turnham
Brassell	Edwards	Reynolds	Waggoner
Burgess	Fite	Roberts	Waldrop
Callahan	Flippo	Robertson	Warren
Carnes	Goodwin	St. John	Wood
Chesnut	Gray (F)	Smith (K)	Wynot
Collins	Grey (D)		—41

Nays:

Mr. Speaker	Connell	Harris	McNair
Agee	Dill	Hill	Naramore
Barron	Doss	Hughes	Nettles
Bassett	Erdreich	King	Slate
Boutwell	Falkenburg	Lutz	Stokes
Casey	Grainger	McBride	Wallace
Cauthen	Hardin	McMillan	—28

7th Day

The question was then on the motion of Mr. Erdreich to re-refer the bill, H. 633, from the Standing Committee on Public Welfare to the Standing Committee on Health, and the motion was lost.

Yeas 29; Nays 45.

Yeas:

Mr. Speaker	Cauthen	Hale	Naramore
Adwell	Culver	Hill	Nettles
Agee	Dill	Hughes	Perloff
Barron	Ellis	McBride	Reynolds
Boles	Erdreich	McMillan	Roberts
Boutwell	Falkenburg	McNair	Slate
Bowers	Grainger	Meeks	Therrell
Casey			

—29

Nays:

Messrs.:	Coshatt	King	Snell
Adams	Cottingham	Lang	Stewart
Barkett	Crawford	McCorquodale	Stokes
Bassett	Doss	McDonald	Stubbs
Benton	Downing	Merrill	Timmons
Brassell	Drake	Mims	Turnham
Burgess	Fite	Parker	Waggoner
Carnes	Gray (F)	Reid (R)	Waldrop
Carter	Gray (D)	Robertson	Warren
Chesnut	Hardin	St. John	Wood
Collins	Headley	Smith (K)	Wynot
Connell	Jones (F)		

—45

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 40. Mourning the death of E. P. Coburn, former legislator from Colbert County.

Also:

H. J. R. 41. Commending the Emma Sansom High School baseball team.

Also:

H. J. R. 42. Commending William Stewart on being named the "Alumnus of the Year" by the University of Alabama Journalism Department.

Also:

H. J. R. 44. Commending Professor Henry Moore for his contribution to the reapportionment project committee.

Also:

H. J. R. 45. Commending the Jacksonville State University Baseball Team.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Littleton and Wilder:

S. 125. To prohibit the taking, catching, capturing, or killing game or non-game fish by use of a gill, trammel or similar type net in the waters impounded by Jordan Dam, Lay Dam, Mitchell Dam and Martin Dam and to prescribe penalties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 125. Standing Committee on Conservation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 15. Honoring Clyde Blackwood for his contribution to the education profession of this state and offering best wishes on his forthcoming retirement.

Also:

H. J. R. 16. Commending the Oneonta High School football team and working staff for winning their second consecutive 2-A state championship.

Also:

H. J. R. 18. Commending Banks High School football team for winning the state 4-A football championship in 1972.

Also:

H. J. R. 19. Commending Glenn High School basketball team for winning the state 3-A basketball championship.

Also:

H. J. R. 20. Naming the varsity athletic field house at Troy State University the Tine W. Davis Field House.

Also:

H. J. R. 22. Naming wing A of Alumni Hall at Troy State University the Dr. James O. Colley, Jr. Wing.

Also:

H. J. R. 23. Naming a portion of highways I-359 and Alabama 69 the "Lurleen B. Wallace Boulevard."

Also:

H. J. R. 24. Commending Alabama State University for its contribution to the state and nation and designating "Alabama State University, Centennial Year."

Also:

H. J. R. 26. Commending the task forces that worked under the Alabama Health Study Commission.

Also:

H. J. R. 34. Designating the new psychiatric day treatment center at the University of Alabama in Birmingham as the "William P. Engel Day Treatment Center."

Also:

H. J. R. 50. Commending Dean O. D. Turner for his outstanding leadership at Auburn University School of Business.

Also:

H. J. R. 52. Mourning the death of Col. Henry Clayton Wood.

Also:

H. J. R. 53. Mourning the death of Richard (Dick) Beard, State Commissioner of Agriculture and Industries.

Also:

H. J. R. 54. Mourning the death of John Wesley Brown, Jr., prominent Sylacauga businessman.

Also:

H. J. R. 55. Mourning the death of John Singleton Pitts, prominent business, civic and church leader of Sylacauga.

Also:

H. J. R. 58. Commending Donald Comer, Jr., on being elected president of the American Textile Manufacturers Association.

Also:

H. J. R. 59. To express the regret of the people of the state of Alabama for the death of General Alexander A. Vandegrift.

Also:

H. J. R. 62. Mourning the death of William H. Blanton of Madison County.

Also:

H. J. R. 63. Mourning the death of the honorable W. J. Sorrell.

Also:

H. J. R. 64. Commending Marshall Space Flight Center.

Also:

H. J. R. 67. Commending Richard W. Wolf upon being selected one of the Outstanding Young Men of America.

Also:

H. J. R. 68. Commending Joe C. Elliott upon being selected one of the Outstanding Young Men of America.

Also:

H. J. R. 69. Commending the people of the city of Hartford for its "Sister City" Program. Providing for the adoption of the city of Litchfield, Minnesota, by the city of Hartford as a "Sister City."

Also:

H. J. R. 70. Mourning the death of John A. Posey, Jr. of Haleyville.

Also:

H. J. R. 38. Commending Mrs. Lucy Jordan on being named 1973 Alabama Mother of the Year.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 56. Relative to adjournment of the two houses until May 29, 1973.

Also:

H. J. R. 74. Relative to adjournment of the two houses until June 5, 1973.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 8. Expressing concern in regard to the disease known as sickle cell anemia which primarily affects black people.

Also:

H. J. R. 61. Memorializing the President and Congress to do all in their power to secure the release and information concerning the missing in action in Southeast Asia.

Also:

H. J. R. 73. Requesting the presence of each member of the Legislature and staff members to tour the Joseph M. Farley Nuclear Plant and Information Center on June 13, 1973.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Owen:

S. J. R. 16. Mourning the death of Robin Swift.

Also:

By Mr. Owen:

S. J. R. 17. Naming state highway 182 in Baldwin County "Gulf Beach Highway".

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. May, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 16, set out in the above and foregoing Message from the Senate.

SENATE MESSAGE

On motion of Messrs. Kinsey and Benton, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 17, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Pelham:

S. J. R. 28. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, June 5, 1973.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 28, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Messrs. Owen, Littleton, Branyon, Pelham, Foshee and Fine:

S. J. R. 10. Opposing financial aid to North Vietnam and Hanoi.

Also:

By Messrs. Owen, Littleton, Branyon, Pelham, Foshee and Fine:

S. J. R. 11. Opposing amnesty to draft dodgers and deserters of the Vietnam conflict.

Also:

By Mr. Givhan:

S. J. R. 26. Lamenting storm damage in Brent, Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolutions, S. J. R. 10, S. J. R. 11 and S. J. R. 26, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Littleton:

S. J. R. 18. EXTENDING AN INVITATION TO MR. BOB SCOTT, PRESIDENT OF THE ALABAMA JAYCEES, TO ADDRESS A JOINT SESSION OF THE LEGISLATURE.

WHEREAS, the Alabama Jaycees, an organization of young community minded businessmen, are vitally interested in the future and well being of our great state, and

WHEREAS, this organization has spearheaded and worked to accomplish many worthwhile programs that have proven beneficial to the citizens of Alabama, and

WHEREAS, the Alabama Jaycees will be holding their annual state convention in Montgomery on May 24, 25, and 26, 1973, NOW, THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that it extends to Mr. Bob Scott, President of the Alabama Jaycees, an invitation to address a joint session of the legislature on our next legislative day, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Mr. Bob Scott, President of the Alabama Jaycees.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 18, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Foshee and Pelham:

S. J. R. 6. APPLYING TO THE CONGRESS FOR A CONVENTION TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That said Legislature, hereby and pursuant to Article V of the Constitution of the United States, makes application to the Congress of the United States to call a convention for the proposing of the following amendment to the Constitution of the United States:

No student shall be assigned to nor compelled to attend any particular public school on account of race, religion, color or national origin.

BE IT FURTHER RESOLVED, That this application by the Legislature of the State of Alabama constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made similar applications pursuant to Article V, but if Congress proposes an amendment to the Constitution identical with that contained in this resolution before January 1, 1974, this application for a state application shall no longer be of any force or effect; and

BE IT FURTHER RESOLVED, That since this method of proposing amendments to the Constitution has never been completed to the point of calling a convention and no interpretation of the power of the states in the exercise of this right has ever been made by any court or any qualified tribunal, if there be such, and since the exercise of the power is a matter of basic sovereign rights and the interpretation thereof is primarily in the sovereign government making such exercise and since the power to use such right in full also carries the power to use such right in part the Legislature of the State of Alabama interprets Article V to mean that if two-thirds of the states make application for a convention to propose an identical amendment to the Constitution for ratification with a limitation that such amendment be the only matter before it, that such convention would have power only to propose the specified amendment and would be limited to such proposal and would not have power to vary the text thereof nor would it have power to propose other amendments on the same or different propositions; and

BE IT FURTHER RESOLVED, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, to each member of the Congress from this State and to each House of each State Legislature in the United States.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 6, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Wilder:

S. J. R. 19. WHEREAS, hundreds of American servicemen suffered humiliation, deprivation and torture at the hands of the Communists in North and South Vietnam, and

WHEREAS, during the time of their captivity certain persons, including former United States Attorney General Ramsey Clark and actress Jane Fonda, visited Hanoi, and

WHEREAS, during and after their respective visits to Hanoi, said Ramsey Clark and Jane Fonda made statements detrimental to The United States of America, and

WHEREAS, certain of those statements were calculated to mislead the American public about the treatment and state of American Prisoners of War, and

WHEREAS, certain of those statements on behalf of the enemies of our Nation may have constituted treason;

NOW, THEREFORE, BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring, that we condemn these actions of former Attorney General Ramsey Clark and actress Jane Fonda, and

BE IT FURTHER RESOLVED that the Attorney General of The United States of America is hereby called upon to investigate the statements and conduct of said Ramsey Clark and Jane Fonda to determine if same constitute treason, or if they violate any other laws of The United States of America, and, if after such investigation, he determines that such laws have been violated, to prosecute said Ramsey Clark and Jane Fonda to the fullest extent of the law.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 19, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Messrs. Doss, Dill, McBride, Timmons, Erdreich, Falkenburg, Adwell, McMillan and Wallace:

H. R. 80. COMMENDING CENTRAL BANCSHARES OF THE SOUTH, INC., FOR OFFERING INTEREST-FREE LOANS TO HOUSE LEGISLATIVE EMPLOYEES.

WHEREAS the current dilemma in State Government regarding legislative employee pay brought about a noticeable difference in the amount of compensation received by house employees during recent pay periods; and

WHEREAS such difference in amount may continue for an infinite period, depending on legislative circumstances; and

WHEREAS Central Bancshares of the South, Inc., has offered to provide legislative employees with interest free loans to compliment the amount they are currently being paid; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That this house commends Central Bancshares for its thoughtful consideration and foresighted action in providing for the care of these employees.

REGULAR SESSION
7th Day

651

On motion of Mr. Doss, the rules were suspended and the resolution, H. R. 80, was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Crawford	Headley	Parker
Adams	Cross	Hill	Perloff
Adwell	Crowe	Hobbie	Pruitt
Bank	Culver	Hughes	Reed (T)
Barkett	Doss	Jackson	Reid (R)
Barron	Drake	King	Roberts
Bassett	Easters	Kinsey	Slate
Benton	Edwards	Lang	Smith (K)
Boles	Ellis	Lutz	Smith (P)
Boutwell	Erdreich	McBride	Snell
Bowers	Falkenburg	McCluskey	Stubbs
Brassell	Fite	McCorquodale	Taylor
Burgess	Flippo	McMillan	Therrell
Carnes	Gafford	McNair	Turner
Carter	Grainger	May	Turnham
Casey	Gray (F)	Meeks	Waggoner
Collins	Grey (D)	Merrill	Wallace
Connell	Hale	Naramore	Warren
Coshatt	Hardin	Nettles	Weeks
Cottingham	Harris	Owens	Wise

—80

CO-SPONSORS ADDED

Unanimous consent was granted for all members voting "Yea" on the resolution, H. R. 80, to have their names added as co-sponsors.

BILLS ON THIRD READING

And the bill:

H. 586. (With Amendment): Relating to counties having a population of not less than 14,500 nor more than 14,900 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff's chief clerk a salary of not less than \$4,800 nor more than \$6,000 per year.

Having been postponed from the fifth legislative day, was taken up.

INDEFINITELY POSTPONED

On motion of Mr. Fite, the bill, H. 586, was indefinitely postponed.

And the bill:

H. 588. (With Amendment): Relating to all counties having a population of not less than 14,500 nor more than 14,900 according to the most recent federal decennial census; to provide that the sheriff of such counties shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners; and to make the provisions of this Act retroactive to January 18, 1971.

Having been postponed from the fifth legislative day, was taken up.

INDEFINITELY POSTPONED

On motion of Mr. Fite, the bill, H. 588, was indefinitely postponed.

And the bill:

H. 589. (With Amendment): Relating to counties having a population of not less than 14,500 nor more than 14,900 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff an expense allowance of \$150 per month.

Having been postponed from the fifth legislative day, was taken up.

INDEFINITELY POSTPONED

On motion of Mr. Fite, the bill, H. 589, was indefinitely postponed.

And the bill:

H. 471. To amend the title, Sections 2 and 3 of Act No. 1793, H. 1968, 1971 Regular Session (1971 Acts, p. 2961), entitled "An Act Relating to counties having a population of not less than 33,550 nor more than 34,000 according to the most recent federal decennial census; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Roberts
Adams	Culver	Jones (F)	Robertson
Adwell	Dill	King	St. John
Bank	Doss	Kinsey	Slate
Barkett	Downing	Lang	Smith (K)
Barron	Drake	Lutz	Smith (P)
Bassett	Easters	McBride	Snell
Benton	Edwards	McCluskey	Stewart
Boles	Ellis	McCorquodale	Stokes
Boutwell	Erdreich	McDonald	Stubbs
Bowers	Falkenburg	McMillan	Taylor
Brassell	Fite	McNair	Therrell
Burgess	Flippo	May	Timmons
Carnes	Gafford	Meeks	Turner
Carter	Grainger	Merrill	Turnham
Casey	Gray (F)	Mims	Waggoner
Cauthen	Gray (D)	Naramore	Waldrop
Chesnut	Hale	Nettles	Wallace
Collins	Hardin	O'Daniel	Warren
Connell	Harris	Owens	Weeks
Coshatt	Readley	Parker	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot
Cross	Hughes	Reynolds	

7th Day

And the bill:

H. 641. Relating to counties having a population of not less than 33,550 nor more than 34,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Roberts
Adams	Culver	Jones (F)	Robertson
Adwell	Dill	King	St. John
Bank	Doss	Kinsey	Slate
Barkett	Downing	Lang	Smith (K)
Barron	Drake	Lutz	Smith (P)
Bassett	Easters	McBride	Snell
Benton	Edwards	McCluskey	Stewart
Boles	Ellis	McCorquodale	Stokes
Boutwell	Erdreich	McDonald	Stubbs
Bowers	Falkenburg	McMillan	Taylor
Brassell	Fite	McNair	Therrell
Burgess	Flippo	May	Timmons
Carnes	Gafford	Meeks	Turner
Carter	Grainger	Merrill	Turnham
Casey	Gray (F)	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Hale	Nettles	Wallace
Collins	Hardin	O'Daniel	Warren
Connell	Harris	Owens	Weeks
Coshatt	Headley	Parker	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot
Cross	Hughes	Reynolds	

—95

And the bill:

H. 648. To prohibit the consumption of alcoholic beverages on the premises of retail licensee in Conecuh County unless the premises have been issued a restaurant, hotel or club liquor license by the Alcoholic Beverage Control Board of the State of Alabama; and prescribing penalties therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Boles	Cauthen	Crowe
Adams	Boutwell	Chesnut	Culver
Adwell	Bowers	Collins	Dill
Bank	Brassell	Connell	Doss
Barkett	Burgess	Coshatt	Downing
Barron	Carnes	Cottingham	Drake
Bassett	Carter	Crawford	Easters
Benton	Casey	Cross	Edwards

7th Day

Ellis	Jackson	Naramore	Stokes
Erdreich	Jones (F)	Nettles	Stubbs
Falkenburg	King	O'Daniel	Taylor
Fite	Kinsey	Owens	Therrell
Flippo	Lang	Parker	Timmons
Gafford	Lutz	Reed (T)	Turner
Grainger	McBride	Reid (R)	Turnham
Gray (F)	McCluskey	Reynolds	Waggoner
Grey (D)	McCorquodale	Roberts	Waldrop
Hale	McDonald	Robertson	Wallace
Hardin	McMillan	St. John	Warren
Harris	McNair	Slate	Weeks
Headley	May	Smith (K)	Wise
Hill	Meeks	Smith (P)	Wood
Hobbie	Merrill	Snell	Wynot
Hughes	Mims	Stewart	

—95

And the bill:

H. 652. Relating to counties having a population of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census, so as to authorize the county commission of such counties to pay from the general funds of the county the salary or salaries of any additional clerks hired for the various elected officials of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Roberts
Adams	Culver	Jones (F)	Robertson
Adwell	Dill	King	St. John
Bank	Doss	Kinsey	Slate
Barkett	Downing	Lang	Smith (K)
Barron	Drake	Lutz	Smith (P)
Bassett	Easters	McBride	Snell
Benton	Edwards	McCluskey	Stewart
Boles	Ellis	McCorquodale	Stokes
Boutwell	Erdreich	McDonald	Stubbs
Bowers	Falkenburg	McMillan	Taylor
Brassell	Fite	McNair	Therrell
Burgess	Flippo	May	Timmons
Carnes	Gafford	Meeks	Turner
Carter	Grainger	Merrill	Turnham
Casey	Gray (F)	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Hale	Nettles	Wallace
Collins	Hardin	O'Daniel	Warren
Connell	Harris	Owens	Weeks
Coshatt	Headley	Parker	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot
Cross	Hughes	Reynolds	

—95

And the bill:

H. 698. Relating to counties having a population of not less than 22,000 nor more than 22,500 residents according to the most recent federal

REGULAR SESSION
7th Day

655

decennial census, to confer discretionary authority upon the governing body of such counties to appropriate from the general fund of the county sums of money, not to exceed five hundred dollars, and not to exceed one thousand dollars for any one year, for the payment of certain equitable and moral claims against such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Roberts
Adams	Culver	Jones (F)	Robertson
Adwell	Dill	King	St. John
Bank	Doss	Kinsey	Slate
Barkett	Downing	Lang	Smith (K)
Barron	Drake	Lutz	Smith (P)
Bassett	Easters	McBride	Snell
Benton	Edwards	McCluskey	Stewart
Boles	Ellis	McCorquodale	Stokes
Boutwell	Erdreich	McDonald	Stubbs
Bowers	Falkenburg	McMillan	Taylor
Brassell	Fite	McNair	Therrell
Burgess	Flippo	May	Timmons
Carnes	Gafford	Meeks	Turner
Carter	Grainger	Merrill	Turnham
Casey	Gray (F)	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Hale	Nettles	Wallace
Collins	Hardin	O'Daniel	Warren
Connell	Harris	Owens	Weeks
Coshatt	Headley	Parker	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot
Cross	Hughes	Reynolds	

—95

And the bill:

H. 708. Applying to DeKalb County, authorizing the governing body of DeKalb County to designate and set up certain projects relating to construction of roads and bridges in DeKalb County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Collins	Doss
Adams	Bowers	Connell	Downing
Adwell	Brassell	Coshatt	Drake
Bank	Burgess	Cottingham	Easters
Barkett	Carnes	Crawford	Edwards
Barron	Carter	Cross	Ellis
Bassett	Casey	Crowe	Erdreich
Benton	Cauthen	Culver	Falkenburg
Boles	Chesnut	Dill	Fite

7th Day

Flippo	Kinsey	O'Daniel	Stubbs
Gafford	Lang	Owens	Taylor
Grainger	Lutz	Parker	Therrell
Gray (F)	McBride	Reed (T)	Timmons
Grey (D)	McCluskey	Reid (R)	Turner
Hale	McCorquodale	Reynolds	Turnham
Hardin	McDonald	Roberts	Waggoner
Harris	McMillan	Robertson	Waldrop
Headley	McNair	St. John	Wallace
Hill	May	Slate	Warren
Hobbie	Meeks	Smith (K)	Weeks
Hughes	Merrill	Smith (P)	Wise
Jackson	Mims	Snell	Wood
Jones (F)	Naramore	Stewart	Wynot
King	Nettles	Stokes	

—95

And the bill:

H. 227. Relating to Madison County; authorizing the clerk of the county court to destroy certain files and records in all civil and criminal cases after a certain period of time and providing for an official record of said files and records.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Roberts
Adams	Culver	Jones (F)	Robertson
Adwell	Dill	King	St. John
Bank	Doss	Kinsey	Slate
Barkett	Downing	Lang	Smith (K)
Barron	Drake	Lutz	Smith (P)
Bassett	Easters	McBride	Snell
Benton	Edwards	McCluskey	Stewart
Boles	Ellis	McCorquodale	Stokes
Boutwell	Erdreich	McDonald	Stubbs
Bowers	Falkenburg	McMillan	Taylor
Brassell	Fite	McNair	Therrell
Burgess	Flippo	May	Timmons
Carnes	Gafford	Meeks	Turner
Carter	Grainger	Merrill	Turnham
Casey	Gray (F)	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Hale	Nettles	Wallace
Collins	Hardin	O'Daniel	Warren
Connell	Harris	Owens	Weeks
Coshatt	Headley	Parker	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot
Cross	Hughes	Reynolds	

—95

And the bill:

H. 229. Relating to the Circuit Court of Madison County; to authorize the clerk of said court to destroy certain files and records in all civil and criminal cases after a certain period of time and providing for an official record of said files and records.

REGULAR SESSION
7th Day

657

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Roberts
Adams	Culver	Jones (F)	Robertson
Adwell	Dill	King	St. John
Bank	Doss	Kinsey	Slate
Barkett	Downing	Lang	Smith (K)
Barron	Drake	Lutz	Smith (P)
Bassett	Easters	McBride	Snell
Benton	Edwards	McCluskey	Stewart
Boles	Ellis	McCorquodale	Stokes
Boutwell	Erdreich	McDonald	Stubbs
Bowers	Falkenburg	McMillan	Taylor
Brassell	Fite	McNair	Therrell
Burgess	Flippo	May	Timmons
Carnes	Gafford	Meeks	Turner
Carter	Grainger	Merrill	Turnham
Casey	Gray (F)	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Hale	Nettles	Wallace
Collins	Hardin	O'Daniel	Warren
Connell	Harris	Owens	Weeks
Coshatt	Headley	Parker	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot
Cross	Hughes	Reynolds	

—95

And the bill:

H. 369. To authorize cities having a population of not less than 135,000 nor more than 185,000 inhabitants according to the most recent federal decennial census, to make grants to certain corporations in order to foster economic development in such cities.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Casey	Easters	Hill
Adams	Cauthen	Edwards	Hobbie
Adwell	Chesnut	Ellis	Hughes
Bank	Collins	Erdreich	Jackson
Barkett	Connell	Falkenburg	Jones (F)
Barron	Coshatt	Fite	King
Bassett	Cottingham	Flippo	Kinsey
Benton	Crawford	Gafford	Lang
Boles	Cross	Grainger	Lutz
Boutwell	Crowe	Gray (F)	McBride
Bowers	Culver	Grey (D)	McCluskey
Brassell	Dill	Hale	McCorquodale
Burgess	Doss	Hardin	McDonald
Carnes	Downing	Harris	McMillan
Carter	Drake	Headley	McNair

7th Day

May	Reed (T)	Snell	Waggoner
Meeks	Reid (R)	Stewart	Waldrop
Merrill	Reynolds	Stokes	Wallace
Mims	Roberts	Stubbs	Warren
Narmore	Robertson	Taylor	Weeks
Nettles	St. John	Therrell	Wise
O'Daniel	Slate	Timmons	Wood
Owens	Smith (K)	Turner	Wynot
Parker	Smith (P)	Turnham	

—95

And the bill:

H. 598. Pertaining to Madison County; to authorize the governing body of said county to appropriate funds for the use and benefit of Fellowship Center, Inc., a non-profit corporation, formerly known as Senior Citizens Activities Center Huntsville-Madison County, Alabama, a non-profit corporation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Roberts
Adams	Culver	Jones (F)	Robertson
Adwell	Dill	King	St. John
Bank	Doss	Kinsey	Slate
Barkett	Downing	Lang	Smith (K)
Barron	Drake	Lutz	Smith (P)
Bassett	Easters	McBride	Snell
Benton	Edwards	McCluskey	Stewart
Boles	Ellis	McCorquodale	Stokes
Boutwell	Erdreich	McDonald	Stubbs
Bowers	Falkenburg	McMillan	Taylor
Brassell	Fite	McNair	Therrell
Burgess	Flippo	May	Timmons
Carnes	Gafford	Meeks	Turner
Carter	Grainger	Merrill	Turnham
Casey	Gray (F)	Mims	Waggoner
Cauthen	Grey (D)	Narmore	Waldrop
Chesnut	Hale	Nettles	Wallace
Collins	Hardin	O'Daniel	Warren
Connell	Harris	Owens	Weeks
Coshatt	Headley	Parker	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot
Cross	Hughes	Reynolds	

—95

UNANIMOUS CONSENT GRANTED

At the request of Mr. Hearn, unanimous consent was granted for the Journal to show him voting "Yea" on the bills H. 369, H. 229, H. 227, H. 598 and H. 599.

BILLS ON THIRD READING RESUMED

And the bill:

H. 599. Relating to Madison County, to authorize the governing body of said county to pay certain expenses incurred by the Probate Judge, Tax Assessor and Tax Collector of said county in connection with their duties.

REGULAR SESSION
7th Day

659

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Roberts
Adams	Culver	Jones (F)	Robertson
Adwell	Dill	King	St. John
Bank	Doss	Kinsey	Slate
Barkett	Downing	Lang	Smith (K)
Barron	Drake	Lutz	Smith (P)
Bassett	Easters	McBride	Snell
Benton	Edwards	McCluskey	Stewart
Boles	Ellis	McCorquodale	Stokes
Boutwell	Erdreich	McDonald	Stubbs
Bowers	Falkenburg	McMillan	Taylor
Brassell	Fite	McNair	Therrell
Burgess	Flippo	May	Timmons
Carnes	Gafford	Meeks	Turner
Carter	Grainger	Merrill	Turnham
Casey	Gray (F)	Mims	Waggoner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Hale	Nettles	Wallace
Collins	Hardin	O'Daniel	Warren
Connell	Harris	Owens	Weeks
Coshatt	Headley	Parker	Wise
Cottingham	Hill	Reed (T)	Wood
Crawford	Hobbie	Reid (R)	Wynot
Cross	Hughes	Reynolds	

—95

H. 642 RE-REFERRED

On motion of Mr. Crowe to re-refer, the bill, H. 642, was re-referred to the Standing Committee on Judiciary to the Standing Committee on Business and Labor.

BILLS ON THIRD READING RESUMED

And the bill:

H. 364. Relating to judicial procedure; specifically regulating further actions indetinue so as to provide an opportunity for the defendant to be heard before property is taken out of his possession under a court order except in enumerated extraordinary circumstances; and for such purpose amending Code of Alabama 1940, Title 7, Sections 918, 920 and 932, and also Act No. 979, H. 232 of the Regular Session of 1951 (Acts of Alabama, 1951, p. 1653—now appearing in Section 931(1) of Title 7 in the Code of Alabama, Recompiled 1958).

Having been postponed from the sixth legislative day, was taken up.

H. 364 POSTPONED

On motion of Mr. Hill, the bill, H. 364, was postponed to the eighth legislative day.

And the bill:

H. 314. (With Substitute): Relating to motor vehicles: To provide means for the recovery of stolen motor vehicles by requiring the registration

of ownership of and liens upon motor vehicles with the State Department of Revenue; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon; to grant certain powers and authority to and impose certain duties on the State Department of Revenue and to impose penalties for violations of this Act.

Was taken up.

The question was then on the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to motor vehicles: To provide means for the recovery of stolen motor vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State Department of Revenue; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon; to grant certain powers and authority to and impose certain duties on the State Department of Revenue and to impose penalties for violations of this Act; to appropriate funds to be used in the administrations of this Act.

Be It Enacted by the Legislature of Alabama:

ARTICLE 1 - CERTIFICATE OF TITLE

Section 1. Definitions. The following words and phrases when used in this Act shall, for the purpose of this Act, have the meanings respectively ascribed to them in this section except where the context clearly indicates a different meaning:

(a) The term "Department" shall mean the Department of Revenue of this State.

(b) The term "dealer" shall mean a person licensed as an automobile or motor vehicle dealer and engaged regularly in the business of buying, selling or exchanging motor vehicles, trailers, semi-trailers, trucks, tractors, or other character of commercial or industrial motor vehicles in this State, and having in this State an established place of business.

(c) The term "designated agent" shall mean each Judge of Probate, Commissioner of Licenses, Director of Revenue, or other County official in this State authorized and required by law to issue motor vehicle license tags, who may perform his duties under this Act personally or through his deputies, or such other persons as the Department may designate; the term shall also mean those "dealers" as herein defined who are appointed by the Department as herein provided in Section 4 hereof to perform the duties of "designated agent" for the purposes of this Act; such "dealers" may perform their duties under this Act either personally or through any of their officers or employees.

7th Day

(d) The term "implement of husbandry" shall mean every vehicle designed and adapted exclusively for agricultural, horticultural or livestock raising operations or for lifting or carrying an implement of husbandry and in either case not subject to licensing or registration if used upon the highways.

(e) The term "vehicle identification number" shall mean the numbers and letters on a vehicle designated by the manufacturer or assigned by the Department for the purpose of identifying the vehicle.

(f) The term "lien" means every kind of written lease which is substantially equivalent to an installment sale or which provides for a right of purchase; conditional sale; reservation of title; deed of trust; chattel mortgage; trust receipt; and every written agreement or instrument of whatever kind or character whereby an interest other than absolute title is sought to be held or given on a motor vehicle.

(g) The term "lienholder" shall mean any person, firm, copartnership, association, or corporation holding a lien as herein defined on a motor vehicle.

(h) The term "manufacturer" shall mean any person regularly engaged in the business of manufacturing, constructing, assembling, importing or distributing new motor vehicles, either within or without this State.

(i) The term "motor vehicle" shall include:

(1) Every automobile, motorcycle, mobile trailer, semitrailer truck, truck tractor, trailer and other device which is self-propelled in, upon or by which any person or property is or may be transported or drawn upon a public highway, and except such as is moved by animal power or used exclusively upon stationary rails or tracks;

(2) Every mobile home, trailer coach, travel trailer and house trailer manufactured upon a chassis or undercarriage as an integral part thereof drawn by a self-propelled vehicle.

(j) The term "new vehicle" shall mean a motor vehicle which has never been the subject of a first sale for use.

(k) The term "used vehicle" shall mean a motor vehicle that has been the subject of a first sale for use, whether within this State or elsewhere.

(l) The term "owner" shall mean a person, other than a lienholder, having the property in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.

(m) The term "person" shall include every natural person, firm, copartnership, association or corporation.

(n) The term "pole trailer" shall mean every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as logs, poles, pipes, boats, or structural members capable generally of sustaining themselves as beam between the supporting connections.

(o) The term "security agreement" shall mean a written agreement which reserves or creates a security interest.

(p) The term "security interest" shall mean an interest in a vehicle reserved or created by agreement and which secures payment or performance of an obligation. The term includes the interest of a lessor under a lease intended as security. A security interest is "perfected" when it is valid against third parties generally, subject only to specific statutory exceptions.

(q) The term "special mobile equipment" shall mean every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: ditch-digging apparatus, well-boring apparatus and road construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carry-alls and scrapers, power shovels and draglines, and self-propelled cranes, and earth-moving equipment. The term does not include house trailers, dump trucks, truck-mounted transit mixers, cranes or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

(r) The term "nonresident" shall mean every person who is not a resident of this State.

(s) The term "current address" shall mean a new address different from the address shown on the application or on the certificate of title. The owner shall within thirty (30) days after his address is changed from that shown on the application or on the certificate of title notify the Department of the change of address in the manner prescribed by the Department.

(t) The word "State" shall mean a state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a province of the Dominion of Canada.

Section 2. Certificate of Title Required.

(a) Except as provided in Section 3 hereof, every owner of a motor vehicle designated a 1975 year model, and all models subsequent thereto which is in this State and which is required to be registered under the motor vehicle laws of this State and for which no certificate of title has been issued by the Department, shall make application to a designated agent as herein defined for a certificate of title to the vehicle.

(b) Any dealer, acting for himself or another, who sells, trades or otherwise transfers any vehicle required to be titled under this Act who does not comply with the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined in a sum not exceeding Five Hundred Dollars (\$500.00).

Section 3. Exclusion. No Certificate of Title Need Be Obtained for:

(a) A vehicle owned by the United States or any agency thereof;

(b) A vehicle owned by a manufacturer or dealer and held for sale, even though incidentally moved on the highway or used for purposes of testing or demonstration, or a vehicle used by a manufacturer solely for testing;

(c) A vehicle owned by a nonresident of this State and not required by law to be registered in this State;

(d) A vehicle regularly engaged in the interstate transportation of persons or property for which a currently effective certificate of title has been issued in another state;

(e) A vehicle moved solely by animal power;

(f) An implement of husbandry;

(g) Special mobile equipment;

(h) A pole trailer.

Section 4. Designated Agents.

(a) Each Judge of Probate, Commissioner of Licenses, Director of Revenue, or other County official in this State authorized and required by law to issue motor vehicle license tags shall by virtue of his office be a designated agent of the Department. Such Probate Judges, Commissioners of Licenses, Directors of Revenue, or other County officials may perform their duties under this Act either personally or through any of their deputies.

(b) Every dealer as defined herein shall be a designated agent of the Department. Such dealers may perform their duties under this Act either personally or through any of their officers or employees, provided that such dealer or persons shall enter into a bond with a corporate surety authorized to do business in this State as surety thereon, payable to the State of Alabama in a sum to be determined by the Department, but in no event less than Five Thousand Dollars (\$5,000.00), conditioned on the faithful performance of their duties under this Act. In lieu of such bond, such dealer may file a condensed balance sheet as of a date not more than three months prior to the first day of July, 1974, and annually thereafter, in a form prescribed by the Department and sworn to by such dealer, evidencing a net worth of not less than Twenty-Five Thousand Dollars (\$25,000.00).

(c) The Department may appoint other persons as its designated agents, provided that such appointee shall enter into a bond as provided in the preceding subsection (b) above; provided, however, full-time bonded employees of the Department of Revenue may serve as designated agents without additional bond.

Section 5. Application for First Certificate of Title.

(a) The application for the first certificate of title of a vehicle in this State shall be made by the owner to a designated agent, on the form the Department prescribes, and shall contain:

(1) The name, current residence and mailing address of the owner;

(2) A description of the vehicle including the following data; year, make, model, vehicle identification number, type of body, the number of cylinders, and whether new or used;

(3) The date of purchase by applicant, the name and address of the person from whom the vehicle was acquired, and the names and addresses of any lienholders in the order of their priority and the dates of their security agreements; and

(4) Such other information as the Department may require.

(b) If the application is for a vehicle purchased from a dealer, it shall contain the name and address of any lienholder holding a security interest created or reserved at the time of the sale and the date of his security agreement and must be signed by the dealer as well as the owner, and the designated agent shall promptly mail or deliver the application to the Department.

(c) If the application is for a new vehicle, it shall be accompanied by the certified manufacturer's statement of origin showing proper assignments to the applicant and a copy of each security interest document. The manufacturer upon the shipment of a motor vehicle into this State shall forthwith furnish the dealer with such a certified statement of origin.

(d) Each application shall contain or be accompanied by the certificate of a designated agent that the vehicle has been physically inspected by him; that the vehicle identification number and descriptive data shown on the application, pursuant to the requirements of subsection (a) (2) of this section, are correct, and that he identified the person signing the application and witnessed the signature.

(e) If the application is for a first certificate of title on a vehicle other than a new vehicle, then the application shall conform with the requirements of this section except that in lieu of the manufacturer's statement of origin, the application shall be accompanied by a copy of the notarized bill of sale of said motor vehicle whereby the applicant claims title or in lieu thereof certified copies of the last two (2) years' license tag and tax receipts and such other information as the Department may reasonably require to identify the vehicle and to enable the Department to determine the ownership of the vehicle and the existence or nonexistence of security interests in it.

(f) If the application refers to a vehicle last previously registered in another state or country, the application shall contain or be accompanied by:

(1) Any certificate of title issued by the other state or country; and

(2) Such other information and documents as the Department may reasonably require to establish the ownership of the vehicle and the existence or nonexistence of security interests in it.

(3) The certificate of a designated agent that the vehicle has been physically inspected by him, that the vehicle identification number and descriptive data shown on the application pursuant to subsection (a) (2) of this section are correct and such other proof of the identity of the vehicle as the Department may reasonably require.

(g) Every designated agent within this State shall, no later than the next business day after an application is received by him, forward the same to the Department by mail, postage prepaid, with such other evidence of title as may have been delivered to him by the applicant, along with the required fee as hereinafter provided.

Section 6. Issuance and Records.

(a) The Department upon receiving an application for certificate of title shall check the vehicle identification number shown in the application against the record of stolen or converted vehicles maintained by it.

(b) The Department shall examine each application received and, when satisfied that the applicant is entitled to the issuance of a certificate of title, shall issue a certificate of title to the vehicle on the form prescribed by the Department.

(c) The Department shall maintain a record of all certificates of title issued pursuant to the provisions of this Act:

- (1) Under a distinctive title number assigned to the vehicle;
- (2) Under the vehicle identification number;
- (3) Under the name of the owner; and
- (4) In the discretion of the Department, by any other method the Department determines.

Section 7. Use of Duplicate Copy of Application as Permit to Operate Motor Vehicle.

(a) The rules and regulations promulgated by the Department shall make suitable provisions for the use by an applicant of the duplicate copy of his application for a certificate of title to serve as a permit for the operation of the motor vehicle described in the application until the Department either issues the certificate of title of such motor vehicle or refuses to issue the certificate; and every designated agent receiving an application for the certificate of title, when the provisions of this Act have been otherwise complied with, shall deliver to the applicant the duplicate copy of his application which shall contain a suitable permit for the purposes mentioned in this subsection.

(b) In the event the Department refuses to issue the certificate of title, the applicant shall, immediately upon receiving written notice from the Department that such certificate will not be issued for the reason or reasons stated in the notice, deliver or mail to the Department by registered mail the duplicate copy of his application containing the permit mentioned in subsection (a) of this section and the current license tag which was issued for the vehicle; and the motor vehicle described in said application shall not be operated on the highways or other public places of this State after the applicant receives notice that the certificate will not be issued unless its operation is subsequently authorized by the Department either by the issuance of a new permit or certificate of title. If for any reason the said duplicate copy of the application for certificate of title and the current license tag which were issued for the vehicle in question are not received by the Department within ten (10) calendar days after the Department mails written notice to the applicant that it will not issue the certificate of title applied for, the Department, or, at the request of the Department, any State highway patrolman, sheriff, or other peace officer of this State, is authorized and empowered to and shall require and compel the surrender of said duplicate copy of the application for certificate of title and the said current license tag; and the Department, after it obtains possession of said duplicate copy of application for certificate of title and said current license tag, is authorized to retain same until it is satisfied that said applicant is entitled to receive a certificate of title to the vehicle in question.

Section 8. Contents and Effect of Certificate.

- (a) Each certificate of title issued by the Department shall contain:
- (1) The date issued;
 - (2) The name and current address of the owner;
 - (3) The names and addresses of any lienholders in the order of priority as shown on the application, or if the application is based on a certificate of title, as shown on the certificate;
 - (4) The title number;
 - (5) A description of the vehicle including the following data: year, make, model, vehicle identification number, type of body, number of cylinders, whether new or used, and if a new vehicle the date of the first sale of the vehicle for use; and
 - (6) Any other data the Department prescribes.

(b) Unless security is furnished as provided in Section 10, a distinctive certificate of title shall be issued for a vehicle last previously registered in another state or country, the laws of which do not require that lienholders be named on a certificate of title to perfect their security interests. The certificate shall contain the legend, "This vehicle may be subject to an undisclosed lien" and may contain any other information the Department prescribes. If no notice of a security interest in the vehicle is received by the Department within four (4) months from the issuance of the distinctive certificate of title, the Department shall, upon application and surrender of the distinctive certificate, issue a certificate of title in ordinary form.

(c) The certificate of title shall contain forms for assignment and warranty of title by the owner, and for assignment and warranty of title by a dealer, and may contain forms for applications for a certificate of title by a transferee, the naming of a lienholder and the assignment or release of the security interest by a lienholder.

(d) A certificate of title issued by the Department is *prima facie* evidence of the facts appearing on it.

(e) A certificate of title to a vehicle is not subject to garnishment, attachment, execution or other judicial process, but this subsection does not prevent a lawful levy upon the vehicle.

Section 9. Delivery. The certificate of title shall be mailed to the first lienholder named in it or, if none, to the owner. A nontransferable duplicate certificate of title shall be mailed to the owner to serve as a permit for the operation of the motor vehicle.

Section 10. Application for Certificate of Title with Bond or Cash. If the Department is not satisfied as to the ownership of the vehicle or that there are no undisclosed security interests in it, the Department may accept the application but shall either:

(a) Withhold issuance of a certificate of title until the applicant presents documents reasonably sufficient to satisfy the Department as to the applicant's ownership of the vehicle and that there are no undisclosed security interests on it; or

(b) As a condition of issuing a certificate of title, require the applicant to file with the Department a bond in the form prescribed by the Department

and executed by the applicant, and either accompanied by the deposit of cash with the Department or also executed by a person authorized to conduct a surety business in this State. The bond shall be in an amount equal to one and one-half times the value of the vehicle as determined by the Department and conditioned to indemnify any prior owner and lienholder and any subsequent purchaser of the vehicle or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss or damage, including reasonable attorney's fees, by reason of the issuance of the certificate of title of the vehicle or on account of any defect in or undisclosed security interest upon the right, title and interest of the applicant in and to the vehicle. Any such interested person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond, and any deposit accompanying it, shall be returned at the end of three (3) years or prior thereto if the vehicle is no longer registered in this State and the currently valid certificate of title is surrendered to the Department, unless the Department has been notified of the pendency of an action to recover on the bond.

Section 11. Refusing Certificate of Title. The Department shall refuse issuance of certificate of title if any required fee is not paid or if the Department has reasonable grounds to believe that:

- (a) The applicant is not the owner of the vehicle;
- (b) The application contains a false or fraudulent statement; or
- (c) The applicant fails to furnish required information or documents or any additional information the Department reasonably requires.

Section 12. Lost, Stolen or Mutilated Certificates.

(a) If a certificate of title is lost, stolen, mutilated or destroyed or becomes illegible, the first lienholder or, if none, the owner or legal representative of the owner named in the certificate, as shown by the records of the Department, shall promptly make application for and may obtain a replacement upon furnishing information satisfactory to the Department and payment of the fee as hereinafter required. The replacement certificate of title shall contain the legend, "This is a replacement certificate and may be subject to the rights of a person under the original certificate." It shall be mailed to the first lienholder named in it, or, if none, to the owner.

(b) The Department shall not issue a new certificate of title to a transferee upon application made on a replacement certificate until fifteen (15) days after receipt of the application.

(c) A person recovering an original certificate of title for which a replacement has been issued shall promptly surrender the original certificate to the Department.

Section 13. Transfer.

(a) If an owner transfers his interest in a vehicle, other than by the creation of a security interest, he shall, at the time of the delivery of the vehicle, execute an assignment and warranty of title to the transferee in the space provided therefor on the certificate or as the Department prescribes, and cause the certificate and assignment to be mailed or delivered to the transferee or to the Department.

(b) Except as provided in Section 14, the transferee shall, promptly after delivery to him of the vehicle, execute the application for a new certificate of title in the space provided therefor on the certificate or as the Department prescribes, and cause the certificate and application to be mailed or delivered to a designated agent.

(c) Upon request of the owner or transferee, a lienholder in possession of the certificate of title shall, unless the transfer was a breach of his security agreement, deliver the certificate to the transferee. Upon receipt of the certificate the transferee shall make application to a designated agent for a new certificate. The delivery of the certificate does not affect the rights of the lienholder under his security agreement.

(d) If a security interest is reserved or created at the time of the transfer, the certificate of title shall be retained by or delivered to the person who becomes the lienholder and the parties shall comply with the provisions of Section 20.

(e) Except as provided in Section 14, and as between the parties, a transfer by an owner is not effective until the provisions of this section have been complied with.

Section 14. Transfer to or from dealer; records.

(a) If a dealer buys a vehicle and holds it for resale and procures the certificate of title from the owner or the lienholder within fifteen (15) days after delivery to him of the vehicle, he need not send the certificate to the Department but, upon transferring the vehicle to another person other than by the creation of a security interest, shall promptly execute the assignment and warranty of title by a dealer, showing the names and addresses of the transferee and of any lienholder holding a security interest created or reserved at the time of the resale and the date of his security agreement, in the spaces provided therefor on the certificate or as the Department prescribes, and mail or deliver the certificate to a designated agent with the transferee's application for a new certificate.

(b) Every dealer shall maintain for five (5) years a record in the form the Department prescribes of every vehicle bought, sold or exchanged by him or received by him for sale or exchange, which shall be open to inspection by representatives of the Department and law enforcement officers during reasonable business hours.

Section 15. Transfer by Operation of Law.

(a) If the interest of an owner in a vehicle passes to another other than by voluntary transfer, the transferee shall, except as hereinafter provided in subsection (b), promptly mail or deliver to a designated agent the last certificate of title, if available, and proof of the transfer, together with his application for a new certificate in the form the Department prescribes.

(b) If the interest of the owner is terminated or the vehicle is sold under a security agreement by a lienholder named in the certificate of title, the transferee shall promptly make application to a designated agent for a new certificate in the form the Department prescribes. The application shall be accompanied by the last certificate of title and an affidavit made by or on behalf of the lienholder that the vehicle was repossessed and that the interest of the owner was lawfully terminated or sold pursuant to the terms of the security agreement.

If the lienholder succeeds to the interest of the owner and holds the vehicle for resale, he need not secure a new certificate of title but, upon transfer to another person, shall promptly mail or deliver to the transferee the certificate, affidavit and other documents required by the Department. The transferee shall promptly make application to a designated agent for a new certificate in the form prescribed by the Department.

(c) Notwithstanding anything to the contrary contained in this section, a person holding a certificate of title whose interest in the vehicle has been extinguished or transferred other than by voluntary transfer shall forthwith mail or deliver the certificate to the Department upon request of the Department; and the delivery of the certificate pursuant to the request of the Department does not affect the rights of the person surrendering the certificate; and the action of the Department in issuing a new certificate of title as provided herein is not conclusive upon the rights of an owner or lienholder named in the old certificate.

Section 16. When Department to Issue New Certificate.

(a) The Department, upon receipt of a properly assigned certificate of title, with an application for a new certificate of title, the required fee and any other documents required by the Department, shall issue a new certificate of title in the name of the transferee as owner and mail it to the first lienholder named in it or, if none, to the owner.

(b) The Department, upon receipt of an application for a new certificate of title by a transferee other than by voluntary transfer, with proof of the transfer, the required fee and any other documents required by law, shall issue a new certificate of title in the name of the transferee as owner. If the outstanding certificate of title is not delivered to the Department, the Department shall make demand therefor from the holder thereof.

(c) A transferor of a vehicle other than a dealer transferring a new vehicle shall deliver to the transferee at the time of the delivery of possession of the vehicle the license plate for the vehicle. Provided, however, the license plate does not have to be delivered where a provision of law allows such plate to be retained by the owner of the vehicle.

(d) The Department shall file every surrendered certificate of title, or a microfilm of every such certificate, for a period of time deemed necessary by it in order to permit the tracing of title of the vehicle designated therein.

Section 17. Scrapping, Dismantling or Destroying Vehicle. An owner who scraps, dismantles or destroys a vehicle and a person who purchases a vehicle as scrap or to be dismantled or destroyed shall indicate same on the back of the certificate of title and shall within seventy-two (72) hours cause the certificate of title, the vehicle identification number plate, the motor vehicle license plate, and any other documents or information required by the Department to be mailed or delivered to the Department for cancellation. A certificate of title of the vehicle shall not again be issued except upon application containing the information the Department requires, accompanied by a certificate of inspection in the form and content specified in Section 5(d) hereof.

ARTICLE II—SECURITY INTERESTS

Section 18. Excepted Liens and Security Interests.

This Act does not apply to or affect:

(a) A lien given by statute or rule of law to a supplier of services or materials for the vehicle;

(b) A lien given by statute to the United States, this State or any political subdivision of this State;

(c) A security interest in a vehicle created by a manufacturer or dealer who holds the vehicle for sale, but a buyer in the ordinary course of trade from the manufacturer or dealer takes title free of the security interest.

Section 19. Perfection of Security Interests.

(a) Unless excepted by Section 18, a security interest in a vehicle for which a certificate of title is required by the terms of this Act is not valid against creditors of the owner or subsequent transferees or lienholders of the vehicle unless perfected as provided in this Act.

(b) A security interest is perfected by the delivery to the Department of the existing certificate of title, if any, an application for a certificate of title containing the name and address of the lienholder and the date of his security agreement, a copy of the security interest document, and the required fee. It is perfected as of the time of its creation if the delivery is completed within ten (10) days thereafter, otherwise, as of the time of the delivery.

(c) If a vehicle is subject to a security interest when brought into this State, the validity of the security interest is determined by the law of the jurisdiction where the vehicle was when the security interest attached, subject to the following:

(1) If the parties understood at the time the security interest attached that the vehicle would be kept in this State and it was brought into this State within thirty (30) days thereafter for purposes other than transportation through this State, the validity of the security interest in this State is determined by the law of this State.

(2) If the security interest was perfected under the law of the jurisdiction where the vehicle was when the security interest attached, the following rules apply:

(i) If the name of the lienholder is shown on an existing certificate of title issued by that jurisdiction his security interest continues perfected in this State.

(ii) If the name of the lienholder is not shown on an existing certificate of title issued by that jurisdiction the security interest continues perfected in this State for four (4) months after a first certificate of title of the vehicle is issued in this State, and also thereafter if within the four-month period it is perfected in this State. The security interest may also be perfected in this State after the expiration of the four-month period; in that case perfection dates from the time of perfection in this State.

(3) If the security interest was not perfected under the law of the jurisdiction where the vehicle was when the security interest attached, it may be perfected in this State; in that case perfection dates from the time of perfection in this State.

(4) A security interest may be perfected under paragraph (2) (ii), on paragraph (3) of this subsection, either as provided in subsection (b) or by the lienholder mailing or delivering to a designated agent or to the Department a notice of security interest in the form the Department prescribes together with documents to support the security interest as required by the Department and the required fee.

Section 20. Security Interest. If an Owner Creates a Security Interest in a Vehicle:

(a) The owner shall immediately execute the application in the space provided therefor on the certificate of title, or on a separate form the Department prescribes to name the lienholder on the certificate showing the name and address of the lienholder and the date of his security agreement, and cause the certificate, application and the required fee to be delivered to the lienholder.

(b) The lienholder shall immediately cause the certificate, application and required fee to be mailed or delivered to the Department.

(c) Upon request of the owner or subordinate lienholder, a lienholder in possession of the certificate of title shall either mail or deliver the certificate to the subordinate lienholder for delivery to the Department, or, upon receipt from the subordinate lienholder of the owner's application and the required fee, mail or deliver them to the Department with the certificate. The delivery of the certificate does not affect the rights of the first lienholder under his security agreement.

(d) Upon receipt of the certificate of title, application and the required fee, the Department shall either endorse on the certificate or issue a new certificate containing the name and address of the new lienholder, and mail the certificate to the first lienholder named in it.

Section 21. Assignment by Lienholder.

(a) A lienholder may assign, absolutely or otherwise, his security interest in the vehicle to a person other than the owner without affecting the interest of the owner or the validity of the security interest, but any person without notice of the assignment is protected in dealing with the lienholder as the holder of the security interest and the lienholder remains liable for any obligations as lienholder until the assignee is named as lienholder on the certificate in the manner prescribed by the Department.

(b) The Department shall file each assignment received by the Department with the required fee, and note the assignee as lienholder upon the record of notices of security interest maintained by the Department.

Section 22. Release of Security Interest.

(a) Upon the satisfaction of a security interest in a vehicle for which the certificate of title is in the possession of the lienholder, he shall, within ten (10) days after demand execute a release of his security interest, in the space provided therefor on the certificate or as the Department prescribes, and mail or deliver the certificate and release to the next lienholder named therein, or, if none, to the owner or any person who delivers to the lienholder an authorization from the owner to receive the certificate. The owner, other than a dealer holding the vehicle for resale, shall promptly cause the certificate

and release to be mailed or delivered to the Department, which shall release the lienholder's rights on the certificate or issue a new certificate.

(b) Upon the satisfaction of a security interest in a vehicle for which the certificate of title is in the possession of a prior lienholder, the lienholder whose security interest is satisfied shall within ten (10) days after demand execute a release in the form the Department prescribes and deliver the release to the owner or any person who delivers to the lienholder an authorization from the owner to receive it. The lienholder in possession of the certificate of title shall either deliver the certificate to the owner, or the person authorized by him, for delivery to the Department, or, upon receipt of the release, mail or deliver it with the certificate to the Department which shall release the subordinate lienholder's rights on the certificate or issue a new certificate.

(c) Upon receipt of the releases of security interests mentioned in subsections (a) and (b) of this section, the Department shall file each release in the manner prescribed by the Department and note the same upon the records of notices of security interests maintained by it.

Section 23. Duty of Lienholder.

A lienholder named in a certificate of title shall, upon written request of the owner or of another lienholder named on the certificate, disclose any pertinent information as to his security agreement and the indebtedness secured by it.

Section 24. Exclusiveness of Procedure.

The method provided in this Act of perfecting and giving notice of security interest in motor vehicles required to be titled under the terms hereof or titled under the terms hereof, shall be exclusive.

Security interests in motor vehicles required to be titled or which are titled under this Act, are hereby exempted from the provisions of law which otherwise require the filing or recording of financing statements or of other instruments creating or evidencing security interests.

Security interest in motor vehicles not required to be titled under this Act or not titled under the terms hereof, which are perfected under any other applicable laws of this State shall not be affected by this Act but shall continue in all respects to be governed by such other laws of this State.

Section 25. Suspension or Revocation of Certificates.

(a) The Department shall suspend or revoke a certificate of title, upon notice and reasonable opportunity to be heard in accordance with Section 27, when authorized by any other provision of law or if it finds:

(1) The certificate of title was fraudulently procured or erroneously issued, or

(2) The vehicle has been scrapped, dismantled or destroyed.

(b) Suspension or revocation of a certificate of title does not, in itself, affect the validity of a security interest noted on it.

(c) When the Department suspends or revokes a certificate of title, the owner or person in possession of it shall, immediately upon receiving notice of the suspension or revocation, mail or deliver the certificate to the Department.

(d) Should any person fail to comply with the provisions of subsection (c) of this section the Department shall seize and impound the certificate of title which has been revoked. It shall also be the duty of any peace officer, on notification to him by the Department of the failure of a person to mail or deliver a revoked certificate of title to the Department, to seize and mail or deliver to the Department the revoked certificate of title.

Section 26. Powers of Department.

(a) The Department shall prescribe and provide suitable forms of applications, certificates of titles, notices of security interests, and all other notices and forms necessary to carry out the provisions of this Act.

(b) The Department may:

(1) Make necessary investigations to procure information required to carry out the provisions of this Act;

(2) Adopt and enforce reasonable rules and regulations to carry out the provisions of this Act;

(3) Assign a new identification number to a vehicle if it has none, or its identification number is destroyed or obliterated, or its motor is changed, and shall either issue a new certificate of title showing the new identification number or make an appropriate endorsement on the original certificate.

(4) Revoke the authority of a dealer or other person appointed by the Department to act as a designated agent hereunder when it finds that such dealer or other person has failed to faithfully perform his duties under this Act.

(c) The Department shall make available information concerning the status of a title on any vehicle as reflected by the records in a manner prescribed by the Department. Such information supplied by the Department shall be considered official only if in writing. The Department shall charge the fees as set forth in Section 31 provided, however, that no fee shall be charged Alabama law enforcement agencies or law enforcement agencies of any other state when such state furnishes like or similar information without charge to the Department or to Alabama law enforcement agencies.

Section 27. Hearings. A person aggrieved by an act or omission to act of the Department under this act is entitled to a hearing. Such person shall within sixty (60) days of such act or omission to act protest in writing the act or omission to act by which he is aggrieved, request the Department to take appropriate action to remedy such act or omission to act, state the grounds on which the request is based and request a hearing of the protest. On receipt of such protest the Department shall, if it finds the protest justified, comply forthwith with the request. If the Department is of the opinion that the written protest is not sufficient to justify compliance with the request, a hearing of the matter shall be set before the Department and notice thereof shall be given to the aggrieved person by registered or certified mail, return receipt re-

quested. The hearing may be continued from time to time as deemed to be appropriate by the Department. The aggrieved person may make an appearance by written statement, in person or by attorney or agent. The Department shall make such rules for the conduct of the hearing as deemed by it to be appropriate and necessary. At the conclusion of the hearing the Department shall within ten (10) days notify the aggrieved person in writing of its determination of the matter.

Section 28. Court Review. An aggrieved person who has filed a protest in accordance with the provisions of Section 27 of this Act not being satisfied with the determination made by the Department may request review of the matter by the circuit court in equity of the county in which he resides, or in which the vehicle involved is licensed, or in which the act or omission to act occurred. The court review shall be instituted by filing a petition for a hearing of the matter in the circuit court in equity within thirty (30) days after receipt from the Department of notice of its determination of the matter. Such court is hereby vested with jurisdiction and it shall be its duty to set the matter for hearing with written notice to the Department, and thereupon to take testimony and examine into the facts of the case and determine whether the petitioner is entitled to relief and if so to grant it. Either the state or the aggrieved person may appeal to the Alabama Court of Civil Appeals within thirty (30) days from the rendition of a judgment by the circuit court.

Section 29. Distinctive Certificates. If the Department is not satisfied that there are no undisclosed security interests created before this Act takes effect in a previously registered vehicle, the Department may, in addition to the Department's options under Section 10 hereof, issue a distinctive certificate of title of the vehicle containing the legend, "This vehicle may be subject to an undisclosed lien" and containing any other information the Department prescribes.

Section 30. Filing and Recording of Notices of Security Interests; Examination of Record.

(a) The Department shall file each notice of security interest received by the Department with the required fee and maintain a record of all notices of security interests filed by the Department:

- (1) Alphabetically, under the name of the owner;
- (2) Under the vehicle identification number;
- (3) Under the certificate of title number; and
- (4) In the discretion of the Department, by any other method it determines.

(b) The Department before issuing or reissuing a certificate of title shall check the name of the owner and the certificate of title number of the vehicle against the record provided for in subsection (a).

Section 31. Schedule of Fees and Commissions.

(a) There shall be paid to the Department for issuing and processing documents required by this Act fees according to the following schedule:

- (1) Each application for certificate of title \$ 3.00

- (2) Each application for replacement or corrected certificate of title\$ 3.00
- (3) Each application for certificate of title after transfer\$ 3.00
- (4) Each notice of security interest\$ 2.00
- (5) Each assignment by lienholder\$ 2.00
- (6) Each application for ordinary certificate of title upon surrender of a distinctive certificate\$ 3.00
- (7) Each application for information as to the status of the title of a vehicle\$ 1.00

(b) The designated agents shall add the sum of Fifty Cents (\$.50) to each document processed for which a fee is charged to be retained as his commission for services rendered, and all other fees collected shall be remitted to the Department.

(c) If more than one (1) transaction be involved in any application on a single vehicle and if supported by all required documents, the fee charged by the Department and by the designated agent for processing and issuing shall be considered as only one (1) transaction for which the designated agent shall receive and retain Fifty Cents (\$.50) and shall collect and remit to the Department three (\$3.00) dollars.

Section 32. Disposition of Fees. The fees collected by the Department in the administration of its duties under this Act shall be paid into the general fund of the State of Alabama.

Section 33. Issuance of License Tags. No license tags, other than dealer tags, shall be issued or renewed by any Judge of Probate, Commissioner of Licenses, Director of Revenue or other County official authorized and required by law to issue motor vehicle license tags for a vehicle required to be titled under the provisions of this Act unless the application therefor is accompanied by a copy of the application for a certificate of title or the original certificate of title or a duplicate certificate of title where the original is held by a lienholder.

ARTICLE III—ANTITHEFT LAWS

Section 34. Exceptions from Provisions of this Article.

This article does not apply to the following unless a title certificate has been issued on such vehicles under this Act:

- (a) A vehicle moved solely by animal power;
- (b) An implement of husbandry;
- (c) Special mobile equipment; and
- (d) A self-propelled wheel chair or invalid tricycle.

Section 35. Unauthorized Use of a Vehicle.

A person not entitled to possession of a vehicle who, without the consent of the owner and with intent to deprive him, temporarily or otherwise, of the vehicle or its possession, takes, uses or drives the vehicle is guilty of a felony.

Section 36. Receiving or Disposing of a Vehicle.

A person not entitled to the possession of a vehicle who receives, possesses, conceals, sells or disposes of it, knowing it to be stolen or converted under circumstances constituting a crime, is guilty of a felony.

Section 37. Damaging or Tampering with a Vehicle.

(a) A person who, wilfully and without right to do so, damages a vehicle or damages or removes any of its parts or components is guilty of a misdemeanor.

(b) A person who, without right to do so and with intent to commit a crime, tampers with a vehicle, or goes in or on it, or works or attempts to work any of its parts or components, or sets or attempts to set it in motion, is guilty of a misdemeanor.

Section 38. Stolen, Converted, Recovered and Unclaimed Vehicles.

(a) A peace officer who learns of the theft of a vehicle not since recovered, or of the recovery of a vehicle whose theft or conversion he knows or has reason to believe has been reported to the Department, shall forthwith report the theft or recovery to the Department.

(b) An owner or a lienholder may report the theft of a vehicle, or its conversion if a crime, to the Department, but the Department may disregard the report of a conversion unless a warrant has been issued for the arrest of a person charged with the conversion. A person who has so reported the theft or conversion of a vehicle shall, forthwith after learning of its recovery, report the recovery to the Department.

(c) An operator of a place of business for garaging, repairing, parking or storing vehicles for the public, in which a vehicle remains unclaimed for a period of thirty (30) days, shall, within thirty (30) days after the expiration of that period, report the vehicle as unclaimed to the Department. Such report shall be on a form prescribed by the Department.

A vehicle left by its owner whose name and address are known to the operator or his employee is not considered unclaimed. A person who fails to report a vehicle as unclaimed in accordance with this subsection forfeits all claims and liens for its garaging, repairing, parking or storing and is guilty of a misdemeanor punishable by a fine of not more than One Hundred Dollars (\$100.00).

(d) The Department shall maintain and appropriately index weekly cumulative public records of stolen, converted, recovered and unclaimed vehicles reported to it pursuant to this section. The Department may make and distribute weekly lists of such vehicles so reported to it to peace officers upon request without fee and to others for the fee, if any, the Department prescribes.

(e) The Department may suspend the registration of a vehicle whose theft or conversion is reported to it pursuant to this section; until the Department learns of its recovery or that the report of its theft or conversion was erroneous, it shall not issue a certificate of title for the vehicle.

Section 39. False Report of Theft or Conversion.

A person who knowingly makes a false report of the theft or conversion of a vehicle to a peace officer or to the Department is guilty of a misdemeanor.

Section 40. Removed, Falsified or Unauthorized Identification Number, Registration or License, date on Vehicle or Engine.

(a) A person who wilfully removes or falsifies an identification number of a vehicle or an engine for a vehicle is guilty of a misdemeanor.

(b) A person who, wilfully and with intent to conceal or misrepresent the identity of a vehicle or engine, removes or falsifies an identification number of the vehicle or engine, is guilty of a felony.

(c) A person who buys, receives, possesses, sells or disposes of a vehicle or an engine for a vehicle, knowing that an identification number of the vehicle or engine has been removed or falsified, is guilty of a misdemeanor.

(d) A person who buys, receives, possesses, sells or disposes of a vehicle or an engine for a vehicle, with knowledge that an identification number of the vehicle or engine has been removed or falsified and with intent to conceal or misrepresent the identity of the vehicle or engine, is guilty of a felony.

(e) A person who removes a license plate or tag from a vehicle or affixes to a vehicle a license plate or tag not authorized by law for use on it, in either case with intent to conceal or misrepresent the identity of the vehicle or its owner, is guilty of a misdemeanor.

(f) As used in this section:

(1) "Identification number" includes an identifying number, serial number, engine number or other distinguishing number or mark, placed on a vehicle or engine by its manufacturer or by authority of the Department or in accordance with the laws of another state or country;

(2) "Remove" includes deface, cover and destroy;

(3) "Falsify" includes alter and forge.

(g) An identification number may be placed on a vehicle or engine by its manufacturer in the regular course of business or placed or restored on a vehicle or engine by authority of the Department without violating this section; an identification number so placed or restored is not falsified.

Section 41. Dismantling, Destruction, Change of Identity of Vehicle; Motor Vehicle Declared Salvage.

(a) Each owner of a motor vehicle and each person mentioned as owner in the last certificate of title, when such motor vehicle is dismantled, destroyed, or changed in such a manner that it is not the motor vehicle described in the certificate of title, shall surrender his certificate of title to the Department of Revenue and thereupon said department shall with the consent of any holders of any liens noted thereon, enter a cancellation upon its records. Upon cancellation of a certificate of title in the manner prescribed by this section, the department shall cancel all certificates and all memorandum certificates in that chain of title.

(b) When the frame or engine is removed from a motor vehicle and not immediately replaced by another frame or engine, or when an insurance company has paid money as compensation for a total loss of any motor vehicle, such motor vehicle shall be considered to be salvage. The owner of every motor vehicle in which total loss or salvage has occurred shall, within seventy-two (72) hours after such total loss or salvage occurs, forward to the department the title to the motor vehicle along with its manufacturer's identification number plate(s) and license plate(s), whereupon the department shall process the title and plate(s) in a manner prescribed by law or regulation. An insurance company which pays money as compensation for total loss of a motor vehicle shall obtain such vehicle's certificate of title, manufacturer's identification number plate(s), and license plate(s), and within seventy-two (72) hours after receiving them, shall forward them to the department for processing. In the event the payment was made because of the theft of the vehicle, which shall be considered a total loss as defined in this section, the insurance company shall, in addition to forwarding the certificate of title as provided herein, forward the vehicle's identification number plate(s) and license plates to the department as soon as practicable after the vehicle is recovered. However, nothing in this subsection shall be applicable when a stolen motor vehicle is recovered in substantially intact condition and is readily resalable without extensive repairs to or replacement of the frame or engine.

(c) It shall be unlawful for the owner of any junkyard, scrap metal processing plant, or salvage yard or his agents or employees to have in their possession any motor vehicle which is junk or salvage or a total loss when the manufacturer's identification number plate(s), serial plate(s), and motor vehicle license plate have not been removed therefrom in accordance with the provisions of Section 17 of this Act. Any person who violates this subsection shall, upon conviction, be guilty of a felony and shall be punished by imprisonment in the state penitentiary for not more than five (5) years or by fine of not more than \$5,000 or by both such fine and imprisonment.

(d) It shall be unlawful for any person, firm, or corporation to possess, sell, or exchange, offer to sell or exchange, or to give away any certificate of title or manufacturer's identification number plate(s), serial plate(s) or motor vehicle license plate of any motor vehicle which has been sold as junk or salvage or as a total loss contrary to the provisions of this section, and every officer, agent, or employee of any person, firm or corporation, and every person who shall authorize, direct, aid in, or consent to the possession, sale, or exchange or offer to sell, exchange, or give away such certificate of title or manufacturer's identification number plate(s), serial plate(s) or motor vehicle license plate shall, upon conviction, be guilty of a felony and shall be punished by imprisonment in the state penitentiary for not more than five (5) years or by a fine of not more than \$5,000 or by both such fine and imprisonment.

(e) For the purposes of this section, a total loss shall occur when the insurer pays to any person seventy-five (75) per cent or more of the cost, at the time of loss, of replacing the wrecked or damaged vehicle with one of like kind and quality.

Section 42. Right of Inspection for Violations of this Act.

(a) Any sheriff, deputy sheriff, policeman of an incorporated municipality or duly authorized representative of the Department of Public Safety

or Department of Revenue of this State may enter into the premises of any automobile salvage dealer, junk yard, automobile or other motor vehicle dealer licensed therefor by the State of Alabama or any political subdivision thereof and inspect the identification numbers of all motor vehicles or parts thereof contained on said premises, at any time of the day or night in order to enforce the provisions of this Act.

(b) Any sheriff, deputy sheriff, policeman of an incorporated municipality or duly authorized commissioned law enforcement officer of the Department of Public Safety or the Department of Revenue of this state shall have the power to serve and execute any and all search warrants obtained in accordance with law for the purposes of the provisions of this Act.

(c) Interference by any person with proper inspection by lawful officers as authorized by this section is a misdemeanor.

Section 43. Evidence of Criminal Intent of Knowledge.

In a prosecution for a crime specified in this Act, evidence that the defendant has committed a prior act or acts of the same kind or has been previously convicted of one or more acts of grand larceny of a motor vehicle or any part thereof or has been previously convicted of buying, receiving, concealing or aiding in concealing stolen property, where the property in question was a motor vehicle or any part thereof shall be admissible against such defendant in such prosecution as substantive evidence on the question of guilty knowledge or criminal intent to violate the particular provision of this act for the violation of which the defendant is being prosecuted.

Section 44. Principals.

A person who, whether present or absent, aids, abets, induces, procures or causes the commission of an act which if done directly by him, would be a felony or a misdemeanor under a provision of this Act, is guilty of the same felony or misdemeanor.

Section 45. Offenses Relating to Title and Registration—Felonies.

A person is guilty of a felony who, with fraudulent intent:

(a) Alters, forges or counterfeits a certificate of title;

(b) Alters or forges an assignment of a certificate of title, or an assignment or release of a security interest, on a certificate of title or a form the Department prescribes;

(c) Has possession of or uses a certificate of title, knowing it has been altered, forged or counterfeited; or

(d) Uses a false or fictitious name or address, or makes a material false statement, or fails to disclose a security interest, or conceals any other material fact, in an application for a certificate of title.

Section 46. Offenses Relating to Title and Registration—Misdemeanors.

A person is guilty of a misdemeanor who:

(a) With fraudulent intent, permits another, not entitled thereto, to use or have possession of a certificate of title;

(b) Wilfully fails to mail or deliver a certificate of title or application therefor to the Department within ten (10) days after time required by this Act;

(c) Wilfully fails to deliver to his transferee a certificate of title within ten (10) days after the time required by this Act; or

(d) Knowingly and wilfully commits a fraud in any application for a title or registration; or

(e) Wilfully violates any other provision of this Act, except as otherwise provided in this Act.

Section 47. Penalties. Unless another penalty is provided in this Act:

(a) Felonies. A person convicted of a felony for the violation of a provision of this act is punishable by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or by imprisonment for not less than one (1) year nor more than ten (10) years, or by both such fine and imprisonment.

(b) Misdemeanors. A person convicted of a misdemeanor for the violation of a provision of this act is punishable by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

Section 48. Enforcement.

The Department is charged with the enforcement of the provisions of this Act and it is hereby authorized and empowered to call upon any and all law enforcement agencies and officers of this State for such assistance as it may deem necessary in order to assure such enforcement; and it shall be the duty of such law enforcement agencies and officers to render such assistance to the Department when called upon by it to so do.

Section 49. Forms and Rules.

Sixty (60) days prior to the effective date of this Act, the Department shall provide each designated agent with a supply of forms and the rules and regulations provided for in this Act, and shall furnish each designated agent with at least five (5) copies thereof.

Section 50. Short Title.

This Act may be cited as the "Alabama Uniform Certificate of Title and Antitheft Act."

Section 51. Appropriations.

There is hereby appropriated for the use of the Department in carrying out its duties and obligations under this Act, for the fiscal year beginning October 1, 1973, \$500,000 and for the fiscal year beginning October 1, 1974, \$950,000. Any part of the appropriation for the fiscal year beginning October 1, 1973, which remains unexpended on September 30, 1974, is hereby appropriated for use by the Department in complying with this Act during the next succeeding fiscal year and such unexpended amount shall be in addition to the amount herein appropriated for use in that fiscal year.

REGULAR SESSION
7th Day

681

Section 52. Severability.

The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 53. Repealer.

This Act is supplemental to other laws relative to motor vehicles and offense relating thereto and insofar as possible shall be construed in pari materia with such laws. Nevertheless, all laws or parts of laws in conflict or inconsistent with this Act are hereby repealed.

Section 54. Effective date.

The provisions of this Act shall become effective on the 1st day of October, 1973.

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Parker
Adams	Culver	Jackson	Perloff
Adwell	Dill	Jones (F)	Pruitt
Agee	Doss	King	Reid (R)
Barron	Downing	Kinsey	Reynolds
Bassett	Drake	Lang	Roberts
Benton	Edwards	Lutz	St. John
Boles	Ellis	McBride	Slate
Boutwell	Erdreich	McCluskey	Smith (P)
Bowers	Falkenburg	McCorquodale	Snell
Brassell	Fite	McDonald	Stewart
Burgess	Flippo	McMillan	Therrell
Callahan	Gafford	McNair	Timmons
Carnes	Grainger	May	Turner
Carter	Gray (F)	Meeks	Waldrop
Casey	Grey (D)	Merrill	Wallace
Chesnut	Hale	Mims	Warren
Collins	Hardin	Naramore	Weeks
Connell	Harris	Nettles	Wise
Coshatt	Headley	O'Daniel	Wood
Cottingham	Hill	Owens	Wynot
Cross			

—85

Mr. Cauthen offered the following amendment to the bill, H. 314 as amended:

Amend the substitute to House Bill 314 by striking therefrom in its entirety Section 43 and by renumbering all succeeding sections.

MOTION TO TABLE LOST

The motion of Mr. Merrill to table the amendment offered by Mr. Cauthen was lost.

Yeas 25; Nays 58.

Yeas:

Mr. Speaker	Carnes	McCorquodale	Pruitt
Adams	Collins	Meeks	Robertson
Adwell	Connell	Merrill	Snell
Bowers	Culver	Mims	Waldrop
Brassell	Fite	Naramore	Weeks
Burgess	Lang	Parker	Wynot
Callahan			

—25

Nays:

Messrs.:	Downing	Hobbie	Slate
Agee	Drake	Hughes	Smith (P)
Barkett	Edwards	Jackson	Stewart
Barron	Ellis	Jones (F)	Stokes
Benton	Erdreich	King	Stubbs
Boles	Falkenburg	Lutz	Taylor
Boutwell	Flippo	McBride	Therrell
Carter	Gafford	McCluskey	Timmons
Cauthen	Grainger	McDonald	Turner
Coshatt	Gray (F)	McMillan	Waggoner
Cottingham	Gray (D)	McNair	Wallace
Cross	Hale	Owens	Warren
Crowe	Harris	Reid (R)	Wise
Dill	Headley	Roberts	Wood
Doss	Hill	St. John	

—58

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Mr. Cauthen to the bill, H. 314 as amended, and the amendment was adopted.

Yeas 82; Nays 3.

Yeas:

Mr. Speaker	Dill	Jackson	Roberts
Adams	Doss	Jones (F)	Robertson
Adwell	Downing	King	St. John
Agee	Drake	Lang	Slate
Barkett	Edwards	Lutz	Smith (P)
Barron	Ellis	McBride	Snell
Bassett	Erdreich	McCluskey	Stewart
Benton	Falkenburg	McCorquodale	Stokes
Boles	Fite	McDonald	Stubbs
Boutwell	Flippo	McMillan	Taylor
Brassell	Gafford	McNair	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Gray (F)	Merrill	Turner
Carter	Gray (D)	Nettles	Waggoner
Casey	Hale	O'Daniel	Waldrop
Cauthen	Hardin	Owens	Wallace
Connell	Harris	Parker	Warren
Coshatt	Headley	Perloff	Weeks
Cottingham	Hill	Pruitt	Wise
Crowe	Hobbie	Reid (R)	Wood
Culver	Hughes		

—82

Nays: Messrs. Carnes, Naramore and Wynot.

—3

CO-SPONSOR ADDED

Unanimous consent was granted Messrs. Stokes and Wynot for the Journal to show them as co-sponsors to the bill, H. 314.

And the bill:

H. 314. Relating to motor vehicles: To provide means for the recovery of stolen motor vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State Department of Revenue; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon; to grant certain powers and authority to and impose certain duties on the State Department of Revenue and to impose penalties for violations of this Act; to appropriate funds to be used in the administrations of this Act.

As thus amended, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 1.

Yeas:

Mr. Speaker	Cross	Jones (F)	Reynolds
Adams	Crowe	King	Roberts
Adwell	Culver	Kinsey	Robertson
Agee	Dill	Lang	St. John
Bank	Doss	Lutz	Slate
Barron	Downing	McBride	Smith (K)
Bassett	Drake	McCluskey	Smith (P)
Benton	Edwards	McCorquodale	Snell
Boles	Ellis	McDonald	Stewart
Boutwell	Erdreich	McMillan	Stokes
Bowers	Falkenburg	McNair	Stubbs
Brassell	Fite	May	Taylor
Burgess	Flippo	Meeks	Therrell
Callahan	Gafford	Merrill	Timmons
Carnes	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Waggoner
Casey	Grey (D)	Nettles	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Wise
Coshatt	Hill	Pruitt	Wood
Cottingham	Hughes	Reid (R)	Wynot
Crawford	Jackson		

—94

Nay: Mr. Barkett.

—1

And the bill:

H. 406. To prohibit the throwing or discharging upon any public or private property, lighted or nonlighted, flaming or glowing substances that may cause fire or from a vehicle or while a pedestrian upon a road, highway or adjoining area; to prohibit the throwing or depositing of waste matter upon highways, rights-of-way, sidewalks or public or private property or into specified bodies of water or banks thereof; to define terms; to prescribe penalties

for violations and subsequent violations and to require the preparation and maintenance of records of violations.

Having been postponed from the sixth legislative day, was again taken up.

Mr. Smith (P) offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To prohibit the throwing or discharging upon any public or private property, lighted or nonlighted, flaming or glowing substances that may cause fire or from a vehicle or while a pedestrian upon a road, highway or adjoining area; to prohibit the throwing or depositing of waste matter upon highways, rights-of-way, sidewalks or public or private property or into specified bodies of water or banks thereof; to define terms; to prescribe penalties for violations and subsequent violations and to require the preparation and maintenance of records of violations.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purposes of this Act the following words and terms shall have the following meanings:

(a) "Department" means the Department of Public Safety.

(b) "Littering" means the wilful or negligent throwing, dropping, placing, depositing, or sweeping, or causing any such acts of any waste matter on land or water in other than appropriate storage containers or areas designed for such purposes.

(c) "Waste matter" means discarded, used, or left over substance such as a lighted or nonlighted cigarette, cigar, match, or any garbage, trash, paper, container, packaging or construction material, carcass of a dead animal, object likely to create a traffic hazard, tin can, old iron, brush, box, tool, machinery, vehicle, brick, glass, glassware, glass bottle, glass jar, broken glass, broken glassware, or similar rubbish, litter or debris.

Section 2. Every person is guilty of a misdemeanor who throws or discharges any lighted or nonlighted cigar, cigarette, match, or any flaming or glowing waste matter which may cause a fire upon any highway, including any portion of the right-of-way thereof, sidewalk or upon any public or private property.

No person in any vehicle and no pedestrian shall throw or discharge from or upon any road or highway or adjoining area, public or private, any lighted or nonlighted cigarette, cigar, match or any flaming or glowing substance.

Section 3. It shall be unlawful to litter or cause to be littered any such property, or dump or cause to be dumped any waste matter in or upon any public or private highway or road, including any portion of the right-of-way thereof, or in or upon any private property into or upon which the public is admitted by easement or license, or upon any private property without the consent of the owner, or in or upon any public park or other public property

other than property designated or set aside for such purpose by the governing board or body having charge thereof. It shall be unlawful to place, deposit, or dump, or cause to be placed, deposited or dumped, any rocks or dirt in or upon any private highway or road, including any portion of the right-of-way thereof, or any private property, without the consent of the owner, or in or upon any public park or other public property, without the consent of the State or local agency having jurisdiction over such highway, road, or property. Any person, firm or corporation violating provisions of this section shall be guilty of a misdemeanor.

Section 4. Every person who litters or causes to be littered, or dumps, or causes to be dumped, any waste matter into any bay, lagoon, channel, river, creek, slough, canal, lake or reservoir, or other stream or body of water, or upon a bank, beach or shore within 150 feet of the high water mark of any such water, is guilty of a misdemeanor.

Section 5. Every person convicted of a violation of any rule or regulation adopted by the Department of Conservation or the Division of State Parks prohibiting the leaving, depositing, dropping, or scattering of bottles, broken glass, ashes, waste paper, cans, or other rubbish in any unit of the State Parks system shall be guilty of a misdemeanor.

Section 6. Every person convicted of a violation of Sections 2, 3, 4 or 5 shall be punished by a mandatory fine of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) upon a first conviction, by a mandatory fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) upon a second conviction, and by a mandatory fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) upon a third or subsequent conviction.

The court may, in addition to the fine imposed upon a second or subsequent conviction, require as a condition of probation in addition to any other conditions that any person convicted of a violation of said sections, pick up litter at a time and place within the jurisdiction of the court for not less than four hours upon a second conviction and for not less than eight hours upon a third or subsequent conviction.

Section 7. Every clerk of the court, or judge if there be no clerk, in which a person was convicted for any violation of said Sections 2, 3, 4 or 5, shall prepare within ten days after conviction, and immediately forward to the Department of Public Safety an abstract of the record of the court covering the case in which the person was so convicted, which abstract shall be certified by the person so required to prepare it to be true and correct. The abstract shall be made upon a form furnished or provided by the department and shall contain all the necessary information to identify the defendant, the date and nature of the offense, the date of hearing, the judgment, and the punishment imposed. The failure, refusal or neglect of any such judicial officer to comply with the requirements of this Act is misconduct in office and is grounds for removal therefrom. All abstracts or records received by the department pursuant to this section shall be filed and maintained by the department, as nearly as may be practical, in the same manner as records of traffic convictions are filed and maintained.

Section 8. (a) In any case in which a person is arrested for an offense declared to be a misdemeanor and does not demand to be taken before a court of competent jurisdiction, such person may, instead of being taken be-

fore a court of competent jurisdiction, be released according to the procedure set forth herein. If the arresting officer or his superior determines that the person should be released, such officer or superior shall prepare in duplicate a written notice to appear in court, containing the name and address of such person, the offense charged and the time and place where and when such person shall appear in court. If the person is not released prior to being booked and the officer in charge of the booking or his superior determines that the person should be released, such officer or superior shall prepare such written notice to appear in court.

(b) Unless waived by the person, the time specified in a notice to appear must be at least five (5) days after arrest.

(c) The place specified in the notice shall be the court of competent jurisdiction before whom the person would be taken if the requirement of taking an arrested person before such court were complied with, or shall be an officer authorized by such court to receive a deposit of bail.

(d) The officer shall deliver one copy of the notice to appear to the arrested person, and the arrested person, in order to secure release, must give his written promise so to appear in court by signing the duplicate notice which shall be retained by the officer. Thereupon the arresting officer shall forthwith release the person arrested from custody.

(e) The officer shall as soon as practical, file the duplicate notice with the court specified therein. Thereupon the court may fix the amount of bail which in his judgment will be reasonable and sufficient for the appearance of the defendant and shall endorse upon the notice such statement signed by him. The defendant may, prior to the date upon which he promised to appear in court, deposit with the court the amount of bail thus set. Thereafter, at the time when the case is called for arraignment before the court, if the defendant shall not appear, either in person or by counsel, the court may declare the bail forfeited, and may, in his discretion, order that no further proceedings shall be had in such case, unless the defendant has been charged with a violation of Sections 2, 3, 4 or 5 for which he has been previously convicted, except in cases where the court finds that undue hardship will be imposed upon the defendant by requiring him to appear, the court may declare the bail forfeited and order that no further proceedings shall be had in such case.

Upon the making of such order that no further proceedings be had, all sums deposited as bail shall be forfeited and paid into the funds hereinafter prescribed.

(f) No warrant shall issue on such charge for the arrest of a person who has given such written promise to appear in court, unless and until he has violated such promise or has failed to deposit bail, to appear for arraignment, trial or judgment, or to comply with the terms and provisions of the judgment, as required by law.

(g) The officer shall indicate on the notice to appear whether he desires the arrested person to be booked, and if so, the court shall, before the proceedings are finally concluded, order the defendant to be booked by the arresting officer.

(h) If the arrested person is not released pursuant to the provisions of this Section prior to being booked by the arresting agency, then at the time of booking, the arresting officer, the officer in charge of such booking or his su-

perior officer, or any other person designated by a city or county for this purpose shall make an immediate investigation into the background of the person to determine whether he should be released pursuant to the provisions of this Act. Such investigation shall include, but need not be limited to, the person's name, address, length of residence at that address, length of residence within this State, marital and family status, employment, length of that employment, prior arrest record, and such other facts relating to the person's arrest which would bear on the question of his release pursuant to the provisions of this Act.

Section 9. Notwithstanding any other provisions of law to the contrary, fifty percent of all fines and forfeitures collected upon conviction or upon forfeiture of bail for violations of this Act shall be kept separate and apart from other fines and forfeitures and shall, as soon as practicable after the receipt thereof, be distributed as follows:

(a) Money collected from convictions for violations of Sections 2 and 3 of this Act shall be deposited with the county treasurer or depository of the county in which the court is situated, except that if the arrest is made within the city limits of a municipality, such money shall be deposited with the treasurer of the city and all such funds shall be expended solely for cleanup within that county or city.

(b) Money collected from convictions for violations of Section 4 of this Act shall be deposited with the state treasurer to the credit of the Department of Conservation to be used by the Division of Water Safety, solely for litter cleanup in and along the waterways of this State.

(c) Money collected from convictions for violations of Section 5 of this Act shall be deposited with the state treasurer to the credit of the Department of Conservation to be used by the Division of State Parks solely for litter cleanup within the state parks system.

Section 10. No portion of this Act shall be construed to restrict the private owner in the use of his own private property or in the use of the private property of another with the consent of the owner; nor shall any portion of this Act be construed to contravene any rule, regulation or order of any agency, whether federal, state, regional or local, which is lawfully empowered to control or regulate air or water pollution, or which is lawfully empowered to control or regulate the disposal of solid or liquid waste material.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. The provisions of this Act are cumulative and supplemental to the provisions of Article 4, Chapter 2, Title 23, Code of Alabama, 1940, as amended, and all other provisions of law with respect to the littering or dumping of trash, garbage or other hazardous substances on or along public thoroughfares, public lands or private lands of another, but all laws and parts of laws in direct conflict with this Act are hereby repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

7th Day

Yeas 87; Nays 2.

Yeas:

Mr. Speaker	Cottingham	Hobbie	Reid (R)
Adams	Cross	Hughes	Reynolds
Adwell	Culver	Jackson	Robertson
Agee	Dill	Jones (F)	St. John
Bank	Doss	King	Slate
Barkett	Downing	Kinsey	Smith (P)
Barron	Drake	Lutz	Snell
Bassett	Edwards	McBride	Stewart
Benton	Ellis	McCluskey	Stokes
Boutwell	Erdreich	McCorquodale	Stubbs
Bowers	Falkenburg	McDonald	Taylor
Brassell	Fite	McMillan	Therrell
Burgess	Flippo	May	Timmons
Callahan	Gafford	Meeks	Turner
Carnes	Grainger	Merrill	Waggoner
Carter	Gray (F)	Mims	Waldrop
Casey	Grey (D)	Nettles	Wallace
Cauthen	Hale	O'Daniel	Warren
Chesnut	Hardin	Owens	Weeks
Collins	Harris	Parker	Wise
Connell	Headley	Perloff	Wynot
Coshatt	Hill	Pruitt	

—87

Nays: Messrs. Crowe and Naramore.

—2

And the bill, H. 406, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 2.

Yeas:

Mr. Speaker	Culver	Jackson	Reynolds
Adams	Dill	Jones (F)	Roberts
Adwell	Doss	King	Robertson
Agee	Downing	Kinsey	St. John
Bank	Drake	Lang	Slate
Barkett	Easters	Lutz	Smith (K)
Barron	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McCorquodale	Stewart
Boutwell	Falkenburg	McDonald	Stokes
Bowers	Fite	McMillan	Stubbs
Brassell	Flippo	McNair	Taylor
Burgess	Gafford	May	Therrell
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Nettles	Waldrop
Cauthen	Hardin	O'Daniel	Wallace
Chesnut	Harris	Owens	Warren
Collins	Headley	Parker	Weeks
Connell	Hill	Perloff	Wise
Coshatt	Hobbie	Pruitt	Wood
Cottingham	Hughes	Reid (R)	Wynot
Cross			

—93

Nays: Messrs. Crowe and Naramore.

—2

And the bill:

H. 332. To amend Section 385, as amended, and Section 386 of Title 2 of the Code of Alabama of 1940, relating to livestock dealers, the annual permit required, bills of sale and bills of lading required thereunder; and to repeal Section 387 of Title 2 of the Code of Alabama of 1940.

Having been postponed from the sixth legislative day, was again taken up.

Mr. Smith (P) offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 385, as amended, and Section 386 of Title 2 of the Code of Alabama of 1940, relating to livestock dealers, the annual permit required, bills of sale and bills of lading required thereunder; and to repeal Section 387 of Title 2 of the Code of Alabama of 1940.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 385 of Title 2 of the Code of Alabama of 1940, as heretofore amended by Act No. 226, Legislature of 1953 (Acts of 1953, p. 292) is hereby further amended to read:

Section 385. Permit required; application; fee.—No such dealer as hereinabove defined, except as hereinafter provided, shall engage in any business described in the preceding section without a permit therefor. Every dealer shall annually, on or before the first day of October, file an application with the Commissioner of Agriculture and Industries for a permit to engage in such business. The application shall be made on forms furnished by the Commissioner and shall contain such information as may be required for the purpose of this subdivision. The fee for every such permit, except as hereinafter provided, shall be \$5.00 which shall be paid to the Commissioner and deposited to the credit of the agricultural fund. If such permit fee is not paid within forty-five (45) days from the date on which the fee is due, a delinquent penalty of 15% shall be added. Every dealer who engages in the business of transporting or hauling for hire cattle, sheep, goats, or hogs along any public road or highway of Alabama for resale, to market or for slaughter, shall pay an annual permit fee of \$5.00 for each vehicle used in hauling or transporting such livestock and the commissioner pursuant to rules and regulations approved by the state board of agriculture and industries shall issue a suitable permit plate for proper identification of each vehicle used by such dealers for such purposes. Any dealer as hereinabove defined who has been issued a license as a "dealer" pursuant to the requirements of the "Alabama Livestock Dealers Financial Responsibility Act" of 1969, Act No. 568, Legislature of 1969 (Acts of 1969, p. 1049) and who otherwise complies with the provisions of said Act shall not be required to obtain the annual permit nor pay the fee therefor as required hereunder, but every such dealer shall comply with the other provisions and requirements of this subdivision. Provided, however, any dealer who is required to procure a license by the "Alabama Livestock Dealers Financial Responsibility Act" of 1969 who also engages in the business of transporting or hauling for hire, cattle, sheep, goats or hogs

along any public road or highway in Alabama shall also be required to procure a permit and pay the fee therefor as required hereunder.

Section 2. Section 386 of Title 2 of the Code of Alabama of 1940 is hereby amended to read as follows:

Section 386. Bill of sale required.—Dealers as hereinabove defined shall be required to obtain from the owner or seller on purchase of any cattle, sheep, goats or hogs, a bill of sale therefor, upon a form as may be prescribed by the commissioner of agriculture and industries and shall leave with such owner or seller a copy or duplicate of such bill of sale. Dealers engaged in the business of transporting or hauling for hire cattle, sheep, goats or hogs along any public road or highway shall issue a waybill or bill of lading for all livestock hauled or transported by them containing such information as may be required by rules and regulations approved by the State Board of Agriculture and Industries. It shall be unlawful for any dealer, his agent or employee to haul or transport any such livestock along or upon any public road or highway in Alabama unless such dealer or his agent or employee shall have in his possession accompanying such hauling or shipment or transportation, the original or a duplicate copy of the bill of sale or bill of lading as herein required for any such livestock being hauled or transported, and the dealer, his agent or employee or other person in charge of such livestock shall on demand exhibit said accompanying bill of sale or bill of lading to any sheriff, deputy or other officer of the law.

Section 3. Section 387 of Title 2 of the Code of Alabama of 1940 is hereby expressly repealed.

Section 4. This Act shall become effective on October 1, 1973.

And the substitute was adopted.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (F)	Roberts
Adwell	Culver	King	Robertson
Agee	Dill	Kinsey	St. John
Bank	Doss	Lang	Slate
Barkett	Downing	Lutz	Smith (K)
Barron	Drake	McBride	Smith (P)
Bassett	Easters	McCluskey	Snell
Benton	Edwards	McCorquodale	Stewart
Boles	Ellis	McDonald	Stokes
Boutwell	Erdreich	McMillan	Stubbs
Bowers	Falkenburg	McNair	Taylor
Brassell	Fite	May	Therrell
Burgess	Flippo	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Mims	Waggoner
Carter	Grey (D)	Naramore	Waldrop
Casey	Hale	Nettles	Wallace
Cauthen	Hardin	O'Daniel	Warren
Chesnut	Harris	Owens	Weeks
Collins	Headley	Parker	Wise
Connell	Hill	Perloff	Wood
Coshatt	Hobbie	Pruitt	Wynot
Cottingham	Hughes	Reid (R)	

REGULAR SESSION
7th Day

691

And the bill, H. 332, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	Jones (F)	Roberts
Adwell	Culver	King	Robertson
Agee	Dill	Kinsey	St. John
Bank	Doss	Lang	Slate
Barkett	Downing	Lutz	Smith (K)
Barron	Drake	McBride	Smith (P)
Bassett	Easters	McCluskey	Snell
Benton	Edwards	McCorquodale	Stewart
Boles	Ellis	McDonald	Stokes
Boutwell	Erdreich	McMillan	Stubbs
Bowers	Falkenburg	McNair	Taylor
Brassell	Fite	May	Therrell
Burgess	Flippo	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Mims	Waggoner
Carter	Grey (D)	Naramore	Waldrop
Casey	Hale	Nettles	Wallace
Cauthen	Hardin	O'Daniel	Warren
Chesnut	Harris	Owens	Weeks
Collins	Headley	Parker	Wise
Connell	Hill	Perloff	Wood
Coshatt	Hobbie	Pruitt	Wynot
Cottingham	Hughes	Reid (R)	

—95

And the bill:

H. 753. To amend Title 13, Section 124, of the Code of Alabama (1940), which relates to the appointment of special circuit judges when the regular judge recuses himself or refuses to try a case.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Carnes	Easters	Hobbie
Adams	Carter	Edwards	Hughes
Adwell	Casey	Ellis	Jackson
Agee	Chesnut	Erdreich	Jones (F)
Bank	Collins	Falkenburg	King
Barkett	Connell	Fite	Kinsey
Barron	Coshatt	Flippo	Lang
Bassett	Cottingham	Gafford	Lutz
Benton	Cross	Grainger	McBride
Boles	Crowe	Gray (F)	McCluskey
Boutwell	Culver	Grey (D)	McCorquodale
Bowers	Dill	Hardin	McDonald
Brassell	Doss	Harris	McMillan
Burgess	Downing	Headley	McNair
Callahan	Drake	Hill	May

Meeks	Pruitt	Stokes	Waldrop
Merrill	Reid (R)	Stubbs	Wallace
Mims	Reynolds	Therrell	Warren
Nettles	Robertson	Timmons	Weeks
O'Daniel	Smith (K)	Turner	Wise
Owens	Snell	Turnham	Wood
Parker	Stewart	Waggoner	Wynot
Perloff			

—89

And the bill:

H. 526. To provide further for the disposition and use of the profits, including all taxes levied upon the selling price of spirituous or vinous liquors and certain taxes on malt and brewed beverages; amending Act No. 255, H. 313 Regular Session of 1943 (General Acts 1943, p. 226) and Act No. 92, H. 101, Second Special Session of 1963 (Acts, Second Special Session 1963, p. 257) and repealing Code of Alabama 1940, Title 29, Sections 10 and 11 and all other laws in conflict herewith.

Was taken up.

H. 526 RE-REFERRED

On motion of Mr. Easters to re-refer, the bill, H. 526, was re-referred from the Standing Committee on Judiciary to the Standing Committee on Ways and Means.

And the bill:

H. 493. To provide for the recovery of possession of personal property.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 3.

Yeas:

Mr. Speaker	Cottingham	Hobbie	Pruitt
Adams	Cross	Hughes	Reynolds
Adwell	Culver	Jackson	Robertson
Agee	Dill	Jones (F)	St. John
Barron	Downing	King	Smith (K)
Bassett	Drake	Kinsey	Smith (P)
Benton	Easters	Lutz	Snell
Boles	Edwards	McBride	Stewart
Boutwell	Ellis	McCluskey	Stokes
Bowers	Erdreich	McDonald	Stubbs
Brassell	Falkenburg	McMillan	Taylor
Burgess	Fite	May	Therrell
Callahan	Flipppo	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Hale	Nettles	Waldrop
Cauthen	Hardin	O'Daniel	Wallace
Chesnut	Harris	Owens	Warren
Collins	Headley	Parker	Wise
Connell	Hill	Perloff	Wynot

—80

Nays: Messrs. Crowe, Grey (D) and Slate

—3

REGULAR SESSION
7th Day

693

CO-SPONSOR ADDED

At the request of Mr. Hill, unanimous consent was granted for Mr. Hill to have his name added as co-sponsor to the bill, H. 493.

H. 364 INDEFINITELY POSTPONED

On motion of Mr. Hill, the bill, H. 364, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

And the bill:

H. 759. To further amend Title 3, Section 11, Code of Alabama 1940, as amended, pertaining to cruelty to animals and providing punishment for violation of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 1.

Yeas:

Mr. Speaker	Crowe	Hobbie	Reed (T)
Adams	Culver	Hughes	Reid (R)
Agee	Dill	Jones (F)	Reynolds
Bank	Doss	King	Robertson
Barron	Downing	Kinsey	St. John
Bassett	Drake	Lutz	Slate
Boles	Easters	McBride	Smith (P)
Boutwell	Edwards	McCluskey	Stewart
Bowers	Ellis	McCorquodale	Stokes
Burgess	Falkenburg	McDonald	Taylor
Callahan	Fite	McMillan	Therrell
Carnes	Flippo	May	Timmons
Carter	Grainger	Meeks	Turner
Casey	Gray (F)	Merrill	Waldrop
Cauthen	Grey (D)	Mims	Wallace
Chesnut	Hale	Naramore	Warren
Collins	Hardin	Nettles	Wise
Connell	Harris	O'Daniel	Wood
Cottingham	Headley	Owens	Wynot
Cross	Hill	Pruitt	

—79

Nay: Mr. McNair.

—1

And the bill:

H. 371. (With Amendment): To provide for the granting of certain powers to testamentary trustees by reference to the provisions of this Act.

Was taken up.

The question was then on the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Strike Section 3 of the bill and substitute in lieu thereof the following words and figures:

Section 3. Without diminution or restriction of the powers vested in him by law, or elsewhere in this instrument, and subject to all other provisions of this instrument, the Fiduciary, without the necessity of procuring any judicial authorization therefor, or approval thereof, shall be vested with, and in the application of his best judgment and discretion in behalf of any interested person shall be authorized to exercise, the powers hereunder specifically enumerated, except that he shall not be vested with or be authorized to exercise any power if the exercise thereof would cause the disallowance of any marital deduction or charitable deduction, under the United States Internal Revenue Code, as the same may be amended, which would otherwise be allowed pursuant to the provisions of the Will or other instrument which shall have incorporated any part or all of this act.

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cross	Hobbie	Parker
Adams	Crowe	Hughes	Pruitt
Agee	Culver	Jackson	Reid (R)
Bank	Dill	Jones (F)	Reynolds
Barron	Doss	King	Robertson
Bassett	Downing	Kinsey	St. John
Benton	Drake	Lang	Slate
Boles	Edwards	Lutz	Smith (P)
Boutwell	Ellis	McBride	Stewart
Bowers	Erdreich	McCluskey	Stokes
Brassell	Falkenburg	McDonald	Stubbs
Burgess	Fite	McMillan	Taylor
Callahan	Flippo	McNair	Therrell
Carnes	Grainger	May	Timmons
Carter	Gray (F)	Meeks	Turner
Casey	Gray (D)	Merrill	Turnham
Cauthen	Hale	Mims	Waldrop
Chesnut	Hardin	Naramore	Wallace
Collins	Harris	Nettles	Warren
Connell	Headley	O'Daniel	Wise
Cottingham	Hill	Owens	Wynot

—84

And the bill, H. 371, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Chesnut	Doss
Adams	Brassell	Collins	Downing
Agee	Burgess	Connell	Drake
Bank	Callahan	Cottingham	Edwards
Barron	Carnes	Cross	Ellis
Bassett	Carter	Crowe	Erdreich
Benton	Casey	Culver	Falkenburg
Boles	Cauthen	Dill	Fite

REGULAR SESSION
7th Day

695

Flippo	Lang	O'Daniel	Stokes
Grainger	Lutz	Owens	Stubbs
Gray (F)	McBride	Parker	Taylor
Grey (D)	McCluskey	Pruitt	Therrell
Hale	McDonald	Reid (R)	Timmons
Hardin	McMillan	Reynolds	Turner
Harris	McNair	Robertson	Turnham
Hill	May	St. John	Waggoner
Hobbie	Meeks	Slate	Waldrop
Hughes	Merrill	Smith (K)	Wallace
Jackson	Mims	Smith (P)	Wise
Jones (F)	Naramore	Snell	Wood
King	Nettles	Stewart	Wynot

—84

And the bill:

H. 404. To provide a uniform procedure for the adoption of rules by state administrative agencies, and for the review of state agency rules and determinations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 1.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	St. John
Agee	Dill	King	Slate
Bank	Doss	Lang	Smith (K)
Barron	Downing	Lutz	Smith (P)
Bassett	Drake	McBride	Snell
Benton	Edwards	McCluskey	Stewart
Boles	Ellis	McDonald	Stokes
Boutwell	Erdreich	McMillan	Stubbs
Bowers	Falkenburg	McNair	Taylor
Brassell	Flippo	May	Therrell
Burgess	Grainger	Meeks	Timmons
Callahan	Gray (F)	Merrill	Turner
Carnes	Grey (D)	Mims	Turnham
Carter	Hale	Naramore	Waldrop
Casey	Hardin	Nettles	Wallace
Cauthen	Harris	O'Daniel	Warren
Collins	Hill	Owens	Wise
Connell	Hobbie	Parker	Wood
Cottingham	Hughes	Pruitt	Wynot
Cross			

—81

Nay: Mr. Fite.

—1

And the bill:

H. 317. To provide that all contracts of insurance or policies of insurance or plans or agreements for health services issued or delivered in this State shall cover and include the services of Chiropractors.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 23.

Yeas:

Messrs.:	Coshatt	Hobbie	Robertson
Adams	Cottingham	Hughes	St. John
Adwell	Cross	Jackson	Slate
Agee	Crowe	Jones (F)	Smith (K)
Bank	Culver	Kinsey	Snell
Barkett	Dill	Lutz	Stewart
Barron	Downing	McCorquodale	Stubbs
Bassett	Drake	McDonald	Taylor
Benton	Easters	Meeks	Therrell
Boles	Ellis	Merrill	Timmons
Bowers	Fite	Mims	Waldrop
Brassell	Flippo	Naramore	Wallace
Burgess	Gray (F)	O'Daniel	Warren
Callahan	Hale	Perloff	Wise
Carnes	Hardin	Pruitt	Wood
Carter	Harris	Reid (R)	Wynot
Connell	Headley	Reynolds	

—66

Nays:

Mr. Speaker	Erdreich	King	Owens
Boutwell	Falkenburg	Lang	Smith (P)
Casey	Gafford	McBride	Stokes
Cauthen	Grainger	McCluskey	Turner
Chesnut	Grey (D)	McNair	Waggoner
Doss	Hill	Nettles	

—23

And the bill:

H. 316. To amend Act No. 107, H. B. 151, approved August 26, 1959 (Acts 1959, v. 1, p. 604), an act providing regulations governing the qualifications and eligibility of persons to engage in or be admitted to the practice of the healing arts.

Was taken up.

MOTION TO POSTPONE LOST

Mr. Boutwell offered the motion that the bill, H. 316, be indefinitely postponed, and the motion was lost.

Yeas 20; Nays 63.

Yeas:

Messrs.:	Erdreich	Hill	Meeks
Boutwell	Falkenburg	Lang	Nettles
Cauthen	Flippo	McBride	Slate
Chesnut	Gafford	McMillan	Stokes
Cross	Harris	McNair	Turner
Doss			

—20

Nays:

Mr. Speaker	Barkett	Brassell	Carter
Adams	Bassett	Burgess	Casey
Adwell	Benton	Callahan	Connell
Agee	Boles	Carnes	Coshatt

REGULAR SESSION
7th Day

697

Cottingham	Hardin	Merrill	Stubbs
Crowe	Headley	Mims	Taylor
Dill	Hobbie	Naramore	Therrell
Downing	Hughes	Pruitt	Timmons
Drake	Jackson	Reed (T)	Waggoner
Easters	Jones (F)	Reid (R)	Waldrop
Edwards	King	Reynolds	Wallace
Ellis	Kinsey	Robertson	Warren
Fite	Lutz	St. John	Wise
Grainger	McCluskey	Smith (K)	Wood
Gray (F)	McCorquodale	Snell	Wynot
Hale	McDonald	Stewart	

—63

And the bill, H. 316, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 20.

Yeas:

Messrs.:	Coshatt	Hobbie	St. John
Adams	Cottingham	Hughes	Slate
Adwell	Cross	Jones (F)	Smith (K)
Agee	Crowe	King	Snell
Bank	Culver	Kinsey	Stewart
Barkett	Dill	Lutz	Stubbs
Barron	Downing	McCluskey	Taylor
Bassett	Drake	McCorquodale	Therrell
Benton	Easters	McDonald	Timmons
Boles	Edwards	Merrill	Turnham
Bowers	Ellis	Mims	Waggoner
Brassell	Fite	Naramore	Waldrop
Burgess	Flippo	O'Daniel	Wallace
Callahan	Grainger	Perloff	Warren
Carnes	Gray (F)	Pruitt	Wise
Carter	Hale	Reid (R)	Wood
Casey	Hardin	Reynolds	Wynot
Connell	Headley	Robertson	

—70

Nays:

Mr. Speaker	Erdreich	Lang	Nettles
Boutwell	Falkenburg	McBride	Owens
Cauthen	Gafford	McMillan	Roberts
Chesnut	Harris	McNair	Stokes
Doss	Hill	Meeks	Turner

—20

And the bill:

H. 313. To name the fieldhouse at Ohatchee High School located in Calhoun County in honor of S. Gerald Acker.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Agee	Barron	Boles	Brassell

7th Day

Burgess	Falkenburg	McBride	Robertson
Callahan	Fite	McCluskey	St. John
Carnes	Flippo	McCorquodale	Slate
Carter	Gafford	McDonald	Smith (K)
Casey	Grainger	McMillan	Smith (P)
Cauthen	Gray (F)	McNair	Snell
Collins	Grey (D)	May	Stewart
Connell	Hale	Meeks	Stokes
Coshatt	Hardin	Merrill	Stubbs
Cottingham	Harris	Mims	Taylor
Cross	Headley	Naramore	Therrell
Crowe	Hill	Nettles	Timmons
Culver	Hobbie	O'Daniel	Turner
Dill	Hughes	Owens	Turnham
Doss	Jackson	Parker	Waggoner
Downing	Jones (F)	Perloff	Waldrop
Drake	King	Pruitt	Wallace
Easters	Kinsey	Reed (T)	Wise
Edwards	Lang	Reid (R)	Wood
Ellis	Lutz	Roberts	Wynot

—92

And the bill:

H. 683. To re-name the Moody Junior High School in Moody, Alabama, after H. L. Blocker.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Pruitt
Adams	Culver	Jackson	Reed (T)
Adwell	Dill	Jones (F)	Reid (R)
Agee	Doss	King	Roberts
Barkett	Downing	Kinsey	Robertson
Barron	Drake	Lang	Slate
Bassett	Easters	Lutz	Smith (K)
Benton	Edwards	McBride	Smith (P)
Boles	Ellis	McCluskey	Snell
Boutwell	Erdreich	McCorquodale	Stewart
Bowers	Falkenburg	McDonald	Stokes
Brassell	Fite	McMillan	Taylor
Burgess	Flippo	McNair	Therrell
Callahan	Gafford	May	Timmons
Carnes	Grainger	Meeks	Turner
Carter	Gray (F)	Merrill	Turnham
Casey	Grey (D)	Mims	Waggoner
Cauthen	Hale	Naramore	Waldrop
Collins	Hardin	Nettles	Wallace
Connell	Harris	O'Daniel	Wise
Coshatt	Headley	Owens	Wood
Cottingham	Hill	Perloff	Wynot
Cross	Hobbie		

—90

And the bill:

H. 48. To provide that all guards employed by the State in the Capitol area complex shall be granted the power and authority of deputy sheriffs and

REGULAR SESSION
7th Day

699

state law enforcement officers to enforce the laws of this State and to provide further that they shall be deemed "peace officers" under provisions of Act No. 999 of the Regular Session of the Alabama Legislature, 1969 (Alabama Peace Officers' Annuity and Benefit Fund Act).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Roberts
Agee	Doss	Kinsey	St. John
Barron	Downing	Lang	Slate
Bassett	Drake	Lutz	Smith (K)
Benton	Easters	McBride	Smith (P)
Boles	Edwards	McCluskey	Snell
Boutwell	Ellis	McCorquodale	Stewart
Brassell	Erdreich	McDonald	Stokes
Burgess	Falkenburg	McMillan	Taylor
Callahan	Fite	May	Therrell
Carnes	Flippo	Meeks	Timmons
Carter	Gafford	Merrill	Turner
Casey	Grainger	Mims	Turnham
Cauthen	Gray (F)	Naramore	Waggoner
Chesnut	Grey (D)	Nettles	Waldrop
Collins	Hale	O'Daniel	Wallace
Connell	Hardin	Owens	Warren
Coshatt	Harris	Parker	Wise
Cottingham	Hill	Perloff	Wood
Cross	Hughes	Pruitt	Wynot
Crowe	Jackson	Reed (T)	

—87

And the bill:

H. 209. To amend Section 11 of Act No. 492 of the General Acts of the Regular Session of the Alabama Legislature of 1947, to provide that after fifty percent completion has been accomplished no further retainage will be withheld.

Was taken up.

ADJOURNMENT

On motion of Mr. Ellis, the House adjourned until 10:00 a.m., Thursday, June 7, 1973.

Yeas 52; Nays 29.

Yeas:

Mr. Speaker	Brassell	Dill	Grey (D)
Adams	Callahan	Doss	Hardin
Agee	Carter	Drake	Harris
Bank	Casey	Easters	Headley
Barkett	Chesnut	Edwards	Hobbie
Barron	Collins	Ellis	Jackson
Bassett	Coshatt	Fite	McDonald
Benton	Cottingham	Gray (F)	McNair

JOURNAL OF THE HOUSE, 1973

8th and 9th Day

Mims
Owens
Parker
Perloff
Reid (R)

Reynolds
Roberts
Robertson
St. John
Slate

Smith (K)
Stewart
Stubbs
Therrell
Turner

Waldrop
Wallace
Warren
Wise
Wood

—52

Nays:

Messrs.:
Boutwell
Carnes
Cauthen
Connell
Cross
Downing
Flippo

Gafford
Grainger
Hale
Hill
Hughes
Jones (F)
King
Lutz

McBride
McCluskey
McMillan
May
Meeks
Merrill
Nettles

Smith (P)
Snell
Stokes
Taylor
Timmons
Waggoner
Wynot

—29

EIGHTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, June 6, 1973

The House did not meet today.

NINTH DAY

House of Representatives
Montgomery, Alabama
Thursday, June 7, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Rev. A. F. Beasley, retired Methodist Minister.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett
Barron
Bassett
Benton
Boles

Boutwell
Bowers
Brassell
Burgess
Callahan
Carnes
Carter
Casey
Cauthen
Chesnut

Collins
Connell
Coshatt
Cottingham
Crawford
Cross
Crowe
Culver
Dill
Doss

Downing
Drake
Easters
Edwards
Ellis
Erdreich
Fite
Flippo
Gafford
Goodwin

REGULAR SESSION
9th Day

701

Grainger	McCluskey	Parker	Stubbs
Gray (F)	McCorquodale	Perloff	Taylor
Grey (D)	McDonald	Pruitt	Therrell
Hale	McMillan	Reed (T)	Timmons
Hardin	McNair	Reid (R)	Turner
Harris	Manley	Reynolds	Turnham
Headley	Mathews	Roberts	Waggoner
Hobbie	May	Robertson	Waldrop
Hughes	Meeks	St. John	Wallace
Jackson	Merrill	Slate	Warren
Jones (F)	Mims	Smith (K)	Weeks
King	Namamore	Smith (P)	Williams
Kinsey	Nettles	Snell	Wise
Lang	O'Daniel	Stewart	Wood
Lutz	Owens	Stokes	Wynot
McBride			

—101

A quorum was present.

OATH OF OFFICE

The oath of office prescribed by the Constitution of the State of Alabama was then administered by Hon. G. Sage Lyons, Speaker of the House of Representatives, to Leroy Porter, newly elected Member of the House of Representatives from DeKalb County.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventh legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the seventh legislative day was approved.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Messrs. Jones (E) and Falkenburg.

BILLS ON SECOND READING

Mr. Owens, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 203. To provide protection to policyholders and beneficiaries of insolvent insurers in receivership by establishing a priority of certain claims to be allowed by receivership courts so as to make policyholders and beneficiar-

ies of such insurers preferred creditors; and to make further provision for protection of policyholders by authorizing receivers of such insurers to transfer to solvent insurers certain assets of receivership estates as consideration or as reserves for reinsurance of policies of insolvent insurers upon hearing and approval of the appropriate circuit court having jurisdiction of such case or cases; and to provide for priorities of claims among classes of policyholders and beneficiaries; and to relieve the receiver of any civil liability to creditors for acts performed pursuant to such court orders.

H. 204. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems; to define the term "insurance holding company system" and certain other terms; to provide for and regulate the acquisition of subsidiaries of insurers; to regulate the acquisition of control of or merger with domestic insurers; to provide for the filing of certain information with the Commissioner of Insurance; to prescribe grounds for approval of mergers and acquisitions; to provide for notice and hearing; to provide for exemptions; to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide for exemptions and disclaimers; to provide standards for material transactions between insurers and their affiliates; to regulate extraordinary dividends and distributions; to provide for examination by the Commissioner of Insurance with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Commissioner of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Commissioner of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the Act; to provide criminal penalties; to provide for receivership, revocation or suspension of license for violation of the Act; to provide for judicial review; to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 118. (With Amendment): To authorize and permit teachers who have retired under the Teachers' Retirement Act to perform duties in the Public Schools of Alabama when they are physically and mentally able to do so in the opinion of the employing authority, to prescribe the limitations therefor and to repeal Act #738 of the 1969 Regular Session of the Legislature.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 206. To amend Section 333 of Title 52 of the Code of Alabama, Recompiled 1958 and 1969, which provides for the charging of a fee for the issuance of teacher certificates and sets the amount of the fee and for the repeal of Section 350 of Title 52, Code of Alabama, Recompiled 1958 and 1969, providing for the disposition of fees paid by the applicants for teachers certificates.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 783. (With Amendment): To amend Code of Alabama 1940, Title 52, Section 41, as amended, which section relates to the appointment, term, qualifications and salary of the state superintendent of education, so as to further regulate the salary of said superintendent and to authorize the state board of education to negotiate and enter into a contract with said superintendent for a certain term.

Mr. McCorquodale, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 625. Proposing an amendment to the Constitution of Alabama providing for and regulating the length of annual and special sessions of the Legislature.

The above bill was read a second time at length as required by the Constitution.

H. 164. Proposing an amendment to the Constitution of Alabama which will repeal Amendment No. 132 of the Constitution of Alabama of 1901 which provided for altering the boundaries, reducing the area or abolishing Macon County.

The above bill was read a second time at length as required by the Constitution.

H. 165. To propose an amendment to the Constitution relative to making persons over eighteen years of age adults.

The above bill was read a second time at length as required by the Constitution.

H. 612. To amend further Code of Alabama 1940, Title 17, Section 350, so as to forbid the printing of a party loyalty pledge on the ballots used in primary elections.

H. 529. To provide that the poll list actually signed by each voter at any general, special, primary or municipal election held in any county shall be filed and maintained in the probate office as a public record for one year from the date of said election.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 269. (With Substitute) (With Amendment): To provide for the organization of a public corporation of the state under the name of Alabama State Docks Authority; to abolish the Alabama State Docks Department and transfer to the public corporation created pursuant to this Act all the powers,

privileges, rights, funds, property, books, records and effects of the Alabama State Docks Authority and its board of directors; to provide for the meetings of the board of directors; to provide for the Authority's powers; to provide for the appointment by the Authority of the chief executive officer of the Authority who shall exercise all the powers and duties vested in the Authority, and one or more assistant executive officers, and to fix their terms of office and their salaries; to provide for the making of an annual report by the Authority to the Governor and the legislature and such recommendations to the legislature as the Authority may from time to time deem appropriate; to authorize the Authority to delegate to the chief executive officer or other officials of the Authority such of its administrative powers and functions as it may deem proper; to authorize the issuance of general obligation bonds of the state in principal amount not exceeding \$115,000,000 and designating the Authority as the agency of the state with respect to the sale and issuance thereof, and to provide that the said bonds and the income therefrom shall be exempt from all taxation in the state; to authorize the Authority when it deems such action advantageous, to act as the agency to provide for the refunding of any outstanding bonds, matured or unmatured, that were originally issued by the state, the Authority, or the Alabama State Docks Department with respect to the State Docks Facilities; and to repeal any parts of laws conflicting with the provisions of this Act.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 270. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in the promotion, development, construction, maintenance, improvement, expansion, and modernization of the State Docks facilities at the Port of Mobile and along the inland waterways of the State; to authorize the state to become indebted and to issue in connection therewith its interest bearing general obligation bonds in principal amount not exceeding one hundred fifteen million dollars (\$115,000,000); to authorize the state to establish a public corporation with the powers and resources necessary to undertake the obligations authorized by this amendment to be undertaken by the state, including acting as the agency of the state in authorizing, selling, and issuing the said general obligation bonds of the state; to designate the composition of such public corporation; and to authorize such public corporation to appoint a person of at least ten (10) years' experience in marine terminal operations, foreign trade development and transportation in the field of water-borne commerce as the chief executive officer of such public corporation and to fix his term of office and his salary.

The above bill was read a second time at length as required by the Constitution.

Mr. Naramore, Chairman of the Standing Committee on Highway Safety, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 427. To prohibit the transportation of blasting caps and explosives in the same vehicle over the public roads and highways or in railroad cars on railroads in this state; prescribing penalties for the violation of this Act.

H. 94. Relating to motor vehicles; providing for the revocation of the driver's license of any person convicted of repeated violations of the traffic laws and who has been designated as an habitual offender under the provisions of this Act; prescribing the procedure for the petition, hearing and appeal in such cases; and prescribing the penalties for driving after license has been suspended or revoked.

H. 608. To provide for periodic re-examination of licensed drivers in Alabama once in each four years, to provide for the manner and extent of such re-examination; to provide for a driver license, a chauffeur license, a motorcycle driver license, and to provide for the manner of test therefor, and to authorize the director of Public Safety to issue such licenses; to provide that licenses issued by the Department of Public Safety shall bear a photographic likeness in color of the licensed driver, to provide for the developing, installation and use of a system of color photographic driver license forms.

H. 154. To amend further Act No. 382, H. 834, approved September 9, 1955, as last amended, an Act authorizing the director of the highway department to issue special permits for movement of certain oversize vehicles on public highways (Acts 1955, p. 916).

H. 102. Relating to motor vehicles; further regulating the operation of vehicles upon the highways; prohibiting the operation thereon of unsafe vehicles; authorizing the director of public safety to provide for the making of inspections and tests of motor vehicles to detect defective equipment or other violation of laws governing the use of public highways by motor vehicles and the owners and operators of such vehicles; requiring drivers or operators of motor vehicles, when directed by a police officer to do so, to stop their vehicles and submit them to the inspection and tests hereby authorized; and to prescribe penalties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 220. To apply only in counties having a population of not less than 21,000 nor more than 22,000 inhabitants; providing for additional expense allowances for members of the board of equalization payable from the general funds of the county.

H. 659. To amend Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the county superintendent of education in Marengo County; and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances.

H. 660. To amend Act No. 93, H. 77, approved July 1, 1969, which authorized and requires the Court of County Commissioners, Board of Revenue or other like governing body of Geneva County to provide Clerk-hire allowances for the clerk of the circuit court, the tax assessor, and the tax collector, of Geneva County, so as to increase the amount of such allowances.

H. 703. To amend Section 1 of Act No. 349, H. 869, 1969 Regular Session of the Alabama Legislature (Acts 1969, p. 721), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expen-

ses for the Circuit Court Clerk of Perry County, Alabama," so as to increase the amount of said allowance.

H. 704. To provide that the Marengo County commission shall have authority to appoint additional deputy sheriffs and establish their salary, to make the provisions of this Act retroactive to August 1, 1969.

H. 705. Relating to Marengo County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 706. To amend Section 1 of Act No. 348, H. 868, 1969 Regular Session of the Alabama Legislature (Acts 1969, p. 720), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama," so as to increase the amount of said allowance.

H. 754. Relating to Perry County, to provide that the Sheriff shall be entitled to the allowances payable by the State for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 815. To provide additional exemptions from the Marion County sales and use tax law.

H. 850. Relating to all counties having a population of not less than 34,100 nor more than 34,900, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

H. 811. To amend Section 1 of Act No. 1054, H. 1505, 1971 Regular Session (Acts 1971, p. 1902), which provides for an additional expense allowance of \$30.00 per month for each member of the county school board of counties having a population of not less than 34,100 nor more than 34,900; and to make the provisions of this amendatory act retroactive to September 7, 1971.

H. 813. To repeal Act No. 948, H. 1017, Regular Session 1951 (Acts 1951, p. 1618), an act relating to counties having populations of not less than 30,000 nor more than 33,500, according to the 1950 or any subsequent federal decennial census, and having two courthouses; providing for the appointment of deputies or clerks for the offices of the tax assessor, tax collector and circuit clerk of such counties.

H. 814. To provide for the appointment of a deputy or clerk for the circuit clerk of all counties having populations of not less than 34,100 nor more than 34,900, according to the most recent federal decennial census; and to provide for retroactive effect of this Act.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 627. To amend § 42 of Title 46, Code of Alabama 1940, which section relates to persons who may practice as attorneys by authorizing senior law students to perform, without compensation, acts enumerated in said section.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 688. (With Amendment): Relating to crimes and offenses; prohibiting the giving of false information, falsely reporting a crime, or making a false allegation against a law enforcement officer; prescribing penalties.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 772. To establish definitions for the term short-barreled shotgun, and to provide penalties for the possession of said weapon.

H. 775. To prohibit the false personation of a peace officer and to provide a penalty therefore.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendments, and they were severally read a second time and placed on the Calendar, to-wit:

H. 160. (With Substitute) (With Amendments): To amend sections 3 and 4 of Act No. 652, S.B. 129, Regular Session 1949, (Acts 1949, p. 1006), so to further regulate the operation of motor driven cycles on highways.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 645. (With Amendment): To provide for the issuance of restricted driver's licenses in certain cases.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 29. To provide for a driver license, a chauffeur license, a motorcycle license, and to prescribe the manner of test therefor, and to authorize the Director of Public Safety to issue said licenses.

H. 191. To amend Section 1 of Act No. 253, H. 41, Special Session 1966 (Acts 1966, p. 377), which exempts from civil liability certain persons who render emergency care at the scene of an accident, casualty or disaster; so as to exempt certain other persons.

H. 624. To provide exemption from liability for any pharmacist serving on a peer or utilization review or professional standards review committee.

H. 845. Relating to the Fifteenth Judicial Circuit; to provide for additional Circuit Judge in such Circuit; defining his jurisdiction, powers, right

and authority; his qualifications and duties; to set his compensation and providing for the appointment of a bailiff and court reporter.

H. 279. To provide that a defendant in a criminal or quasi criminal action in this State may enter the plea of nolo contendere.

H. 225. To authorize and provide for minute entries in misdemeanor cases appealed from a city recorder's court, county court, mayor's court, police court, or any municipal court, to the circuit courts or any other courts of record in Alabama.

H. 606. To amend further Section 630, Title 7, of Code of Alabama 1940, which relates to exemptions to garnishing of wages, so as to provide that the amount of said exemption shall never be less than the amount specified in the federal statutes.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 604. (With Amendment): Creating a separate offense for driving a motor vehicle on public highways after the expiration of revocation imposed by the Director of Public Safety, but prior to compliance with other administrative requirements.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 602. To amend Section 9 of Act No. 2052 of the 1971 Legislature of Alabama so as to limit the liability of buyers of used goods valued at \$3000 or less.

H. 601. Relating to the repeal of Code of Alabama (1940), Title 13, Section 406, pertaining to default judgments in justice of the peace courts.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 75. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to provide that any employee of a retail store operated by the ABC Board in such counties shall be compensated only by overtime pay for work performed in excess of 8 hours a day or 40 hours per week and to require that such employees be given the same holidays as other State employees.

H. 849 RE-REFERRED

On motion of Mr. Agee to re-refer, the bill, H. 849, was re-referred from the Standing Committee on Local Legislation No. 1 to the Standing Committee on Local Government.

H. 810 RE-REFERRED

On motion of Mr. Brassell to re-refer, the bill, H. 810, was re-referred from the Standing Committee on Ways and Means to the Standing Committee on Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 14. To extend the life of the Health Study Commission.

Also:

S. J. R. 16. Mourning the death of Robin Swift.

Also:

S. J. R. 17. Naming state highway 182 in Baldwin County "Gulf Beach Highway".

Also:

S. J. R. 25. Naming the classroom building at AUM "O. J. Goodwyn Hall".

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution introduced on the Seventh Legislative Day was read by title, pursuant to Joint Rule 12:

H. J. R. 79. HONORING COLONEL SAMUEL P. McCLURKIN

On motion of Mr. McCorquodale, the resolution was adopted.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 15. Honoring Clyde Blackwood for his contribution to the education profession of this State and offering best wishes on his forthcoming retirement.

Also:

H. J. R. 16. Commending the Oneonta High School Football Team and working staff for winning their second consecutive 2-A State Championship.

Also:

H. J. R. 18. Commending Banks High School Football Team for winning the State 4-A Football Championship in 1972.

Also:

H. J. R. 19. Commending Glenn High School Basketball Team for winning the State 3-A Basketball Championship.

Also:

H. J. R. 22. Designating Wing A of Alumni Hall at Troy State University the Dr. James O. Colley, Jr. Wing.

Also:

H. J. R. 23. Naming a portion of Highways I-359 and Alabama 69 the "Lurleen B. Wallace Boulevard".

Also:

H. J. R. 24. Commending Alabama State University for its contribution to the State and Nation and designating "Alabama State University Centennial Year".

Also:

H. J. R. 20. Designating the Varsity Athletic Field House at Troy University the Tine W. Davis Field House.

Also:

H. J. R. 26. Commending the task forces that worked under the Alabama Health Study Commission.

Also:

H. J. R. 34. Designating the "William P. Engel Day Treatment Center" at the University of Alabama in Birmingham in honor of William P. Engel.

Also:

H. J. R. 50. Commending Dean O. D. Turner for his outstanding leadership and expressing appreciation for his sincere devotion to the School of Business at Auburn University.

Also:

H. J. R. 52. Mourning the death of Col. Henry Clayton Wood.

Also:

H. J. R. 53. Mourning the death of Richard (Dick) Beard, State Commissioner of Agriculture and Industries.

Also:

H. J. R. 54. Mourning the death of John Wesley Brown, Jr. prominent Sylacauga businessman.

Also:

H. J. R. 55. Mourning the death of John Singleton Pitts, prominent business, civic and church leader of Sylacauga.

Also:

H. J. R. 58. Commending Donald Comer, Jr. on being elected President of the American Textile Manufacturers Association.

Also:

H. J. R. 59. Expressing regret upon the death of General Alexander A. Vandegrift.

Also:

H. J. R. 62. Mourning the death of William H. Blanton of Madison County.

Also:

H. J. R. 63. Mourning the death of the Honorable W. J. Sorrell.

Also:

H. J. R. 64. Commending Marshall Space Flight Center.

Also:

H. J. R. 67. Commending Richard W. Wolf upon being included in the 1973 edition of Outstanding Young Men of America.

Also:

H. J. R. 68. Commending Joe C. Elliott upon being included in the 1973 edition of Outstanding Young Men of America.

Also:

H. J. R. 69. Commending the people of the City of Hartford for its "Sister City" program.

Also:

H. J. R. 70. Mourning the death of John A. Posey, Jr. of Haleyville.

Also:

H. J. R. 38. Commending Mrs. Lucy Jordan on being named 1973 Alabama Mother of the Year.

Also:

H. J. R. 8. Expressing concern in regard to the disease known as sickle cell anemia which primarily affects black people.

Also:

H. J. R. 61. Memorializing the President and Congress to do all in their power to secure the release and information concerning the missing in action in Southeast Asia.

Also:

H. J. R. 73. Requesting the presence of each member of the Legislature and staff members to tour the Joseph M. Farley Nuclear Plant and Information Center on June 13, 1973.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT FILED

Pursuant to House Joint Resolution 75, Act No. 264, Third Special Session of the 1971 Legislature, Rep. William H. Lang, Chairman, submitted the report adopted by the Fire Ant Study Commission, and the report was ordered filed.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. McCorquodale:

H. 860. To amend Section 3 of Act No. 169, H. 27, Regular Session 1945, (Acts 1945, p. 285), as last amended, which section sets the rates of the forest products severance tax, so as to provide for a privilege tax to be levied against the manufacturer or processor utilizing the forest products; and to provide the manner of levying privilege tax.

Ways and Means.

By Mr. Easters:

H. 861. To declare the public policy of the State with respect to violation of Section 420, Title 14, Code of Alabama 1940, as last amended, in counties in Alabama having a population of not less than 34,100 nor more than 34,900 inhabitants according to the last or any subsequent federal decennial census; to determine and declare that prosecution and the impositions of criminal penalties is inadequate to prevent violations and that the remedy at law to enforce the same is inadequate in such counties; to declare that habitual violations of the statute constitutes a legal nuisance in such counties; to provide certain exemptions; to prevent unfair competition among merchants and shopkeepers by reason of violations of said statute as amended in such

counties; to provide for means and procedure and to prescribe evidentiary presumptions for the enforcement thereof by injunction and to confer jurisdiction for enforcement upon courts having equity jurisdiction in such counties; to render the provisions of this Act severable; to declare the date on which the Act shall become effective.

Local Legislation No. 1.

By Mr. Easters:

H. 862. To provide for the establishment of off-premise, unattended electronic banking facilities; to exclude such facilities from the regulations of branch banking; to provide restrictions on the use thereof.

Banking.

By Mr. Adwell:

H. 863. To require the State Board of Education to compel all elementary schools which are located in the same school system with an accredited high school, or whose students shall attend an accredited high school, to obtain accreditation from the State Board of Education.

Education.

By Mr. McCluskey:

H. 864. To repeal Title 37, Section 413, Code of Alabama 1940, which prohibits any municipal officer from being employed by a corporation holding a franchise granted by the city or the state involving the use of streets of the municipality.

Commerce and Transportation.

By Mr. Williams:

H. 865. Relating to counties having a population of not less than 38,100 and not more than 40,500, according to the last federal decennial census, and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

Local Legislation No. 1.

By Messrs. Wise, Benton, Stokes, Bowers, Hardin, Bassett and Downing:

H. 866. Relating to the ownership of oil and gas rights; providing for the recordation of all instruments creating the same, and prescribing certain limitations and restrictions respecting grants, conveyances, and ownership of such rights.

Judiciary.

By Messrs. Wise, Benton, Stokes, Bowers, Hardin, Bassett and Downing:

H. 867. Providing for the abandonment of interests in oil or gas in land owned by a person other than the owner of the surface and providing for the preservation of such interests.

Judiciary.

By Messrs. Boutwell, Adwell, Weeks and Gafford:

H. 868. To amend Act Number 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, Page 201) approved July 7, 1965, entitled "An Act To Authorize the Mayor of any City of this State having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor to serve at the pleasure of the Mayor."

Local Legislation No. 2.

By Messrs. Cross and Carter:

H. 869. Relating to counties having populations of not less than 27,000 nor more than 27,900, authorizing an appropriation from county funds for certain purposes.

Local Legislation No. 1.

By Messrs. Cross and Carter:

H. 870. To further amend Section 1 of Act No. 63, H. 651, Regular Session 1969 (Acts 1969, p. 354), as amended, so as to further provide for the compensation of county superintendents of education in certain counties classified on a population basis.

Local Legislation No. 1.

By Messrs. Cross and Carter (With Notice and Proof):

H. 871. To provide for the compensation of jurors in Lawrence County.

Local Legislation No. 1.

Notice and Proof H. 871:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of jurors in Lawrence County.

Be It Enacted by the Legislature of Alabama:

Section 1. All grand and petit jurors, serving in Lawrence County are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the Clerk of the court. The Clerk shall give each juror a certificate, stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues payable out of the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, May 17, May 24, and May 31, all in the year 1973.

ARTHUR F. SLATON.

Sworn to and subscribed before me June 4, 1973.

LeRUTH G. SLATON,
Notary Public.

By Messrs. Cross and Carter (With Notice and Proof):

H. 872. Relating to Lawrence County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Local Legislation No. 1.

Notice and Proof H. 872:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lawrence County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction in Lawrence County of violations of the rules of the road, or laws of this State relating to or regulating traffic or operation of motor vehicles upon the highways of this State, shall be paid into the general funds of such county, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was publisher of The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, May 17, May 24, and May 31, all in the year 1973.

ARTHUR F. SLATON.

Sworn to and subscribed before me June 4, 1973.

LeRUTH G. SLATON
Notary Public.

By Messrs. Boutwell, Adwell, Weeks, McNair and Gafford:

H. 873. To further amend Section 4.04 of Act No. 452, Regular Session 1955, as amended, providing a Mayor-Council form of government for all cities having a population of more than 300,000 inhabitants.

Local Legislation No. 2.

By Messrs. Jones (E), Doss, Kinsey, Benton, Connell, McCluskey, Burgess, Casey, Perloff, Williams, Mims, Wallace, Edwards, Warren, Harris, Hobbie and Merrill:

H. 874. To amend Title 48, Sections 215, 216, 217, 222, and 223, Alabama Code 1940, which provides for the appointment and exercise of powers of Railway Policemen, so as to provide the Governor power to enter into reciprocal agreements with other states, allowing Railway Policemen to exercise their power and authority in other states; to allow such policemen to register with the Secretary of State.

Judiciary.

By Mr. O'Daniel:

H. 875. To amend the title and Section 1 of Act No. 530, S. 562, Regular Session 1967 (Acts 1967, p. 1275), which Act provides further for compensation of the members of the county board of education in certain counties classified on a population basis; providing retroactive effect.

Local Legislation No. 1.

By Messrs. McNair, McMillan, Dill, Hughes, Erdreich, Weeks, Boutwell, Wallace, Bowers, Meeks, Gafford, Waggoner, Boles, McBride, Adwell and Doss:

H. 876. To authorize the County Commission Board of Revenue or like governing body in any county in Alabama having a population of 500,000 or more inhabitants according to the last or any subsequent decennial census of the United States to cooperate with other governmental sub-divisions, public agencies or public corporations in the construction of domestic water lines in the unincorporated areas of such county through the use of county labor and machinery in laying of such water lines, provided the county is reimbursed its full cost for such labor and machinery, including a reasonable depreciation on its equipment.

Local Legislation No. 2.

By Mr. Collins:

H. 877. Relating to counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census, so as to allow probate judges of such counties to store a copy of the records of the probate court at a place, selected by said judge, outside the State, in order to protect such records from fire, natural disaster, civil disorder, nuclear attack, or other destruction.

Local Legislation No. 3.

By Messrs. Boles, Doss, Hughes, Ellis, Culver, McNair, Waggoner, McBride, Boutwell, Weeks, Drake and St. John:

H. 878. To amend Section 4 of Act No. 1260, S. 79, Regular Session 1971 (Acts 1971, p. 2175), which Act provides for water pollution control and establishes the Water Improvement Commission, so as to provide that the Warrior River from its source to Lock 17 of the U. S. Corps of Engineers shall be classified as fit for swimming, or an equal or higher classification, and be afforded the protection provided to such classification.

Conservation.

By Messrs. Connell, King, Cauthen, Carter, Hale, Culver, Bank, Robertson, Jones (F), Taylor, Wood, Roberts, Mims, Warren, Barkett, Owens, Jackson, Wise, Kinsey, Benton, May, Crawford, Turnham, Adams and Brassell:

H. 879. To make annual appropriations for the support of each certified regional planning and development commission in Alabama for each of the fiscal years ending September 30, 1974 and September 30, 1975.

Ways and Means.

By Mr. Collins:

H. 880. To amend Section 4 and further amend Section 5 of Act No. 704, H. 475, Regular Session (Acts 1951, p. 1228), providing for the filing of a report and security following an accident, so as to provide for an increase in the amount of property damage necessary for filing such report to \$200.00 property damage.

Highway Safety.

By Messrs. King and Flippo:

H. 881. To provide further for the manner of incorporation for unincorporated territory.

Judiciary.

By Messrs. McDonald, Drake and St. John:

H. 882. To amend further Code of Alabama Title 7, Section 724, which relates to subscriptions for and filing of weekly newspapers by certain county officers, so as to exempt the clerk of the circuit court from the provisions of this section in counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. McDonald, Drake and St. John:

H. 883. Relating to the office of the sheriff in all counties having a population of not less than 53,000 nor more than 55,000 inhabitants, according to the most recent federal decennial census; to provide for the number of jailers and an increase in the salary of the jailers and to further provide for an increase in the number of clerks in the sheriff's office and their salary.

Local Legislation No. 1.

By Messrs. McDonald, Drake and St. John (With Notice and Proof):

H. 884. To authorize the Marshall County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Local Legislation No. 1.

Notice and Proof H. 884:

PROPOSED LEGISLATION

STATE OF ALABAMA COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL TO BE ENTITLED AN ACT

To authorize the Marshall County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Be It Enacted by the Legislature of Alabama:

Section 1. The county governing body of Marshall County is authorized when the need exists, to provide protection against forest fires in Marshall County by participating in the Alabama Forestry Commission's fire protection program in the manner hereinafter specified.

Section 2. (a) After the body has determined that such a need does exist in Marshall County, the county governing body may, in the manner hereinafter specified, provide for a financial charge or tax of five cents per acre to be paid by the owners of forest lands located in Marshall County for the use of the land for timber growing purposes amounting to the whole or any part of the cost of such fire protection program.

(b) "Forest lands" as used in this Act, shall mean any land which supports a forest growth, or which under prevailing natural and economic conditions may be expected to support such a growth in the future, or which is being used or reserved for any forest purpose. "Forest lands" as used in this Act, shall not include any lands primarily used for residential purposes nor shall it include any publicly owned lands.

Section 3. The need for such a financial charge or tax to provide forest fire protection within the county shall be determined by the county governing body after a public hearing is held thereon. Notice of such public hearing shall be given by the county governing body for a period of two consecutive weeks by advertisement in a newspaper of general circulation in Marshall County. Such advertisement must indicate the date, time, and place of the hearing, the manner proposed to finance such fire protection program, and the part of the cost of such program that is proposed to be paid by the owners of forest lands. Any person owning forest land in Marshall County may appear in person or by attorney at such time and place and make defense against such financial charge or tax or the amount thereof. After such hearing the county governing body shall determine the amount of such financial charge or tax and enter on the minutes of the governing body an order fixing such financial charge or tax.

Section 4. Any such financial charge or tax fixed as provided in the above section shall be payable at the same time and in the same manner as county taxes and the owners of the forest lands, as herein defined, shall make report of same to the tax assessor of Marshall County at the time fixed by law for making return of the property of such property owner. Financial charges or taxes levied shall constitute a lien on the property against which they are charged or taxed in case of default in the payment of such financial charge or tax the land may be sold in the same manner and under the same conditions that lands are sold for the satisfaction of liens for county ad valorem taxes and redemption from such sale may be effected in the same manner as is provided by law for redemption where land is sold for non payment of ad valorem taxes.

Section 5. The county governing body of Marshall County is authorized to appoint agents and delegate authority to individuals to search out forest lands in Marshall County, determine the area and same to the Tax Assessor of Marshall County who shall be authorized, after notice by certified mail to such owners, and hearing before the county governing body if so requested by such owners, to place said financial charge or tax against said forest lands as may be determined by the report of such agents or the determination of said county governing body.

Section 6. The tax herein imposed shall be due and payable quarterly to the state department of revenue, and shall, when collected, be paid by such department into the state treasury, and accredited to Marshall County. All monies collected in accordance with this Act shall be spent in participating in Alabama Forestry Commission's forest fire protection program in Marshall County.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

Proposed Legislation—A Bill to be Entitled an Act to Authorize the Marshall County Governing Body to provide protection against Forest Fires within the County & to Assess the whole or a part of the cost.

Before the undersigned authority personally appeared Johnnie Couch who, being first duly sworn deposes and says that she is a representative of the GUNTERSVILLE ADVERTISER-GLEAM, a Newspaper published

semi-weekly in the City of Guntersville, Marshall County, Alabama; that the notice attached below has been published in said newspaper for four successive weeks in the issue or issues of said paper dated March 15, 22, 29, and April 5, 1972 respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit.

JOHNNIE COUCH.

Subscribed and sworn to before me this 27th day of April 1973.

ALICE WELLS HARVEY,
Notary Public.

My commission expires March 8, 1976.

By Messrs. McDonald, Drake and St. John (With Notice and Proof):

H. 885. Relating to The Douglas Water and Fire Protection Authority, a corporation; to confer additional authority upon said corporation which was organized in Marshall County under Act No. 107, S.B. 2, First Special Session 1965, as amended in respect to the establishment, construction, operation, improvement, and financing of gas distribution facilities and services.

Local Legislation No. 1.

Notice and Proof H. 885:

PROPOSED LEGISLATION

STATE OF ALABAMA COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to The Douglas Water and Fire Protection Authority, a corporation; to confer additional authority upon said corporation which was organized in Marshall County under Act No. 107, S.B. 2, First Special Session 1965, as amended, in respect to the establishment, construction, operation, improvement, and financing of gas distribution facilities and services.

Be It Enacted by the Legislature of Alabama:

Section 1. The Douglas Water and Fire Protection Authority, a corporation, said corporation having been organized in Marshall County, Alabama, shall have power to acquire, establish, construct, operate, improve, and finance one or more gas distribution systems, including any other facilities suitable to provide for the sale and distribution of gas, and shall have and exercise such powers and authority in relation to such gas systems as are granted to such corporations in connection with the establishment, operation and financing of water systems and fire protection services under said Act No. 107 of March 24, 1965.

Section 2. This Act is supplemental to Act No. 107 of March 24, 1965, and no law is repealed or superseded by this Act.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

Proposed Legislation—Relating to the Douglas Water & Fire Protection Authority.

Before the undersigned authority personally appeared Johnnie Couch who, being first duly sworn deposes and says that she is a representative of the GUNTERSVILLE ADVERTISER-GLEAM, a Newspaper published semi-weekly in the City of Guntersville, Marshall County, Alabama; that the notice attached below has been published in said newspaper for four successive weeks in the issue or issues of said paper dated July 13, 17, 27, 31, 1972 respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit.

JOHNNIE COUCH.

Subscribed and sworn to before me this 27th day of April 1973.

ALICE WELLS HARVEY,
Notary Public.

My commission expires March 8, 1976.

By Messrs. Lutz, Grainger, King and McMillan:

H 886. To provide for privileged communications with clergymen.
Judiciary.

By Mr. Lutz:

H. 887. To provide a form indictment to charge the crime of possession, sale, furnishing, giving away, obtaining, or attempting to obtain by fraud, deceit, misrepresentation, or subterfuge, or by the forgery or alteration of a prescription or written order, or by the concealment of material fact, by use of a false name or by giving a false address of a controlled substance enumerated in schedules I, II, III, IV, and V, in the *Code of Alabama*, Chapter 9E, Article II (Sections 258 (26)—(38), in violation of the *Code of Alabama*, Title 22, Section 258 (47).

Judiciary.

By Mr. Coshatt:

H. 888. Relating to the powers of counties having populations of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; authorizing the governing bodies of such counties to adopt ordinances which protect the historic architectural character of the county, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Local Legislation No. 1.

By Messrs. Warren and Mims (With Notice and Proof):

H. 889. Relating to CONECUH County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

Notice and Proof H. 889:

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Conecuh County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Conecuh County shall be entitled to keep and retain the allowances payable by the state for feeding prisoners.

Section 2. The provisions of this Act shall be retroactive to January 18, 1971, and all actions taken by the sheriff in accordance with the provisions of this Act are hereby validated and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, 17, 24, and 31, all in the year 1973.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me May 31, 1973.

HAROLD ADAMS,
Notary Public.

My commission expires April 5, 1977.

By Mr. Smith (K):

H. 890. Relating to counties having a population of not less than 33,550 nor more than 34,000, making communication officers and radio operators "peace officers" under the provisions of Act No. 999, H. 288, Regular Session 1969.

Local Legislation No. 1.

By Messrs. Gafford, Bowers and Doss:

H. 891. To exempt the first \$25.00 worth of food sold to persons 65 and over and to all permanently disabled persons from the state sales and use tax laws; granting the department of revenue the power to promulgate rules and regulations to carry out the provisions of this act; providing punishment for violation of the act.

Ways and Means.

By Messrs. Gafford, Timmons, Dill, Wallace, Hughes, Boles, McNair, Doss, Boutwell, McBride, Waggoner, Meeks, Weeks, Adwell, Bowers and McMillan:

H. 892. To amend Section 3 of Act No. 530 H. 1096, Regular Session 1959 (Acts 1959, p. 1305), so as to further provide for voter reidentification in all counties in the state having a population of 500,000 or more according to the last or any subsequent federal census.

Local Legislation No. 2.

By Messrs. Gafford, Timmons, Dill, Wallace, Hughes, Boles, McNair, Boutwell, McBride, Waggoner, Meeks, Erdreich, Weeks, Adwell, Bowers and McMillan:

H. 893. To further amend Section 3 of Act No. 695 H. 1072, Regular Session 1951 (Acts 1951, p. 1198), as amended, relating to the registration and purgation of voters in counties having a population of 400,000 or more, so as to authorize the boards of registrars in any such county to meet from time to time in any of the precincts in any such county for the purpose of registering voters.

Local Legislation No. 2.

By Mr. Barron:

H. 894. To amend Section 584 of Title 7, Code of Alabama 1940, relating to the registration of judgments and decrees, so as to require the address of each defendant or respondent as shown in the court proceedings to appear on the certificate of registration.

Judiciary.

By Messrs. Hale, Williams, St. John, Bowers, Reed (T), Hobbie, Jones (F), Harris, Adams, Wood, Smith (K), Nettles, Crowe and Carter:

H. 895. Defining, regulating, and providing for the licensing of employment agencies; providing for the revocation and suspension of licenses subject to appeal; requiring the attorney general to enforce and administer this Act and defining his powers and duties relative thereto; creating and providing for the appointment, term, duties and compensation of an advisory

board on licensing of employment agencies to assist the attorney general in administering this Act; prescribing penalties; and repealing conflicting laws.

Commerce and Transportation.

By Messrs. St. John, Carnes, Lutz and Doss:

H. 896. To provide for the indexing of sales to foreclose liens for unpaid municipal ad valorem taxes and improvement assessments against land.

Ways and Means.

By Messrs. St. John, Carnes, Lutz and Doss:

H. 897. Amending Section 276, of Title 51, of the Alabama Code of 1940, to alter the interest conveyed by certain tax sale deeds, and to prescribe the duties imposed upon and the remedies available to the several parties.

Judiciary.

By Messrs. St. John, Carnes, Lutz, and Doss:

H 898. Giving protection to innocent purchasers for value of land, providing for the duties of judges of probate and tax assessors in connection therewith, fixing the fees to be charged for the recording and indexing of certain instruments, further limiting the duration of notice of recorded mortgages as provided for by Sections 174 and 175, of Title 47 of the Alabama Code of 1940, and Act No. 221, Acts of Alabama, Regular Session, 1969, and providing a penalty for recording notices of claim maliciously and without probable cause.

Judiciary.

By Messrs. St. John, Carnes, Lutz and Doss:

H. 899. Creating a presumption as to the delivery of instruments conveying interests in land.

Judiciary.

By Messrs. Timmons, Meeks, Gafford, McBride, Jones (E), Doss, Boles, Boutwell, Wallace, Adwell, Hughes, McNair, Weeks, Bowers and Ellis:

H. 900. To provide retirement allowances for elected officials and former elected officials and former employees who are or have been elected officials of all municipalities of the state having a population of 300,000 or more according to the last and subsequent federal census.

Local Legislation No. 2.

By Messrs. St. John, Carnes, Lutz and Doss:

H. 901. Curing certain defects in recorded instruments affecting title to land.

Judiciary.

By Messrs. St. John, Carnes, Lutz and Doss:

H. 902. To provide that certain legal future interests in land be converted into equitable interests; to provide in the absence of the appointment

of a trustee by the settlor, for the appointment of a statutory trustee; to define the duties of the statutory trustee and other parties and the estates of the statutory trustee; and to provide for the fees of the statutory trustee.

Judiciary.

By Messrs. St. John, Carnes, Lutz and Doss:

H. 903. To regulate further the recording and indexing of instruments relative to land titles in counties having populations not in excess of 300,000 according to the last or any subsequent decennial federal census; to provide for a system of self-indexing of all land transfer instruments recorded in probate offices; and to prescribe fees.

Judiciary.

By Messrs. St. John, Carnes, Lutz and Doss:

H. 904. To amend Section 262, of Title 51, Alabama Code of 1940, so as to make further provisions for the recording and indexing of tax sales and deeds given in confirmation thereof.

Judiciary.

By Messrs. St. John, Carnes and Lutz:

H. 905. To repeal Section 73, of Title 34, of the Alabama Code of 1940, which requires the joinder of the husband in the deed of the wife; and to prescribe a time limit within which a husband may have a deed set aside when he did not join therein.

Judiciary.

By Messrs. St. John, Carnes and Lutz:

H. 906. To repeal Section 21, of Title 9, of the Alabama Code of 1940, which relates to contracts entered into on Sunday; and to validate contracts heretofore entered into on Sunday.

Judiciary.

By Messrs. St. John, Carnes, Lutz and Doss:

H. 907. Giving the protection afforded an innocent purchaser for value to those receiving quitclaim deeds or similar instruments.

Judiciary.

By Messrs. St. John, Carnes, Lutz and Doss:

H. 908. Prescribing the effect of certain conveyances of land executed in the name of corporations; amending Section 106, of Title 47, of the Alabama Code of 1940, so as to extend its provisions to all corporations organized for private profit, and to create a conclusive presumption as to the power of certain corporate officers, and to further regulate the defense of ultra vires relative to acts of and conveyances and transfers of property by or to corporations organized for private profit; and adopting by reference the provisions relative to such defense contained in Act No. 414, S. 261, Regular Session of 1959.

Judiciary.

By Messrs. St. John, Carnes, Lutz and Doss:

H. 909. To amend Code of Alabama 1940, Title 58, Section 3, so as to provide that when the subject of a trust is land such section shall not govern as to the estate of the trustee; but that such estate shall be governed by Section 5 of the Act To Require That Certain Future Interests Be Placed in Trust.

Judiciary.

By Messrs. St. John, Carnes, Lutz and Doss:

H. 910. To further regulate powers of attorney; to provide further for the duration, effect and revocation of such powers of attorney; and to provide further for recording instruments granting or revoking such powers.

Judiciary.

By Messrs. St. John, Carnes and Lutz:

H. 911. Regulating further the assertion of the right to inchoate dower; making such right a claim against land; providing for the filing of notice of such claim; and estopping the wife from asserting such claims under certain circumstances.

Judiciary.

By Messrs. Robertson, Downing, Culver, Wynot, Hobbie, Bank, Therrell, Ellis, Owens, Stubbs, Slate, Naramore, Hughes, Drake, Crowe and Carnes:

H. 912. To provide that the fire fighters of any municipality may by the election provided for in this Act designate a bargaining agent to represent them in respect to the wages the municipality employing them pays to them as fire fighters and in respect to other conditions of their employment; to provide the procedure for elections to be called and held under this Act including the elections to certify a bargaining agent and elections to decertify a bargaining agent; to provide for collective bargaining proceedings to be instituted by the bargaining agent for the fire fighters or the officer, commission or board empowered to establish wages for the fire fighters; to authorize the Director of Labor to establish rules and regulations governing the call of, notice of and conduct of elections held hereunder; to provide for a procedure for compulsory arbitration; to provide for the appointment of arbitrators and define said arbitrators' jurisdiction and authority; to provide that the arbitrators' decision shall be binding upon all parties; and to provide for the enforcement of such decision by the circuit court and to provide for penalties; and to provide that this Act shall be known as the "Fire Fighters' Employee-Employer Relations Act," and that the provisions thereof are supplementary to and shall be construed in *pari materia* with Act No. 229, H. 146 (Acts 1967, p. 598).

Commerce and Transportation.

By Messrs. Taylor, Jones (F) and Barron:

H. 913. Relating to all cities having a population exceeding 70,000 and not exceeding 135,000, to provide for certain changes in the city pension plan.

Local Legislation No. 4.

By Mr. Crowe:

H. 914. To amend Section 4, Act No. 87, S. 40, Third Special Session 1971 (Acts 1971, p. 4299), which act prescribes certain requirements relative to the operation of schools and solicitation of students, so as to exempt aviation schools and related facilities which are regulated by the Federal Aviation Administration from the provisions of said act.

Education.

By Messrs. Crowe, Hobbie, Slate, Carnes, Cauthen, Stewart, Manley, McMillan, Drake, Bowers, Wood, Stokes, Downing, Cottingham, Casey, Boutwell, Reed (T), Fite, Wynot, Hale, Taylor, Perloff, Harris, Erdreich, Barron, Therrell and Robertson:

H. 915. To require insurance companies issuing automobile liability insurance policies in this state to allow the holder of such policies to personally choose the attorney to defend or represent them in any claim or suit filed against such policyholder out of an automobile accident covered by such policy; prescribing penalties against insurance companies failing or refusing to comply with the provisions hereof.

Insurance.

By Mr. Collins:

H. 916. To amend Title 51, Section 616, Code of Alabama 1940, providing for payment of a license fee by warehousemen, so as to eliminate the provision that a warehouseman-distributing agent pay an additional license fee.

Commerce and Transportation.

By Mr. Chesnut:

H. 917. Relating to any county having a population of not less than 15,400 nor more than 15,625, for fixing the salary of the county superintendent of education.

Local Legislation No. 1.

By Messrs. Agee and McCorquodale:

H. 918. Relating to all counties having a population of not less than 16,000 nor more than 16,250, according to the most recent federal decennial census; to provide for the compensation of the county superintendent of education.

Local Legislation No. 1.

RESOLUTION

The following resolution was introduced:

By Messrs. Kinsey and Benton:

H. J. R. 81. NAMING STATE HIGHWAY 59 IN BALDWIN COUNTY "GULF BEACH PARKWAY".

WHEREAS State Highway 59 located in Baldwin County is a principal inland access to the Gulf State Park and the many other tourist attractions of that area; and

WHEREAS such highway runs from Interstate Highway 65 to connect to Gulf Beach Highway (State Highway 182) it is considered appropriate to designate such highway as "Gulf Beach Parkway", now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That State Highway 59 located in Baldwin County running south from Interstate Highway 65 to the Gulf Beach Highway (State Highway 182) is hereby designated as "Gulf Beach Parkway" and the State Highway Department shall cause appropriate signs and markers to be erected along said highway.

The resolution, H. J. R. 81, was read and referred to the Standing Committee on Rules.

H. 324 RE-REFERRED

On motion of Mr. Turnham to re-refer, the bill, H. 324, was re-referred from the Standing Committee on Education to the Standing Committee on Ways and Means.

INTERIM COMMITTEE REPORT FILED

Pursuant to House Joint Resolution 217, Act No. 2418, 1971 Regular Session of the Legislature, Rep. W. M. Collins, Chairman, submitted the report adopted by the Highway Safety Interim Committee, and the report was ordered filed.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. McMillan, Gafford, Doss, McNair, Hughes, Dill, Adwell, Wallace, Boles, Meeks, Waggoner, Boutwell, Erdreich, Weeks, Bowers, Ellis, and Timmons:

H. R. 82. WHEREAS one of Alabama's leading citizens Mrs. Mamye Brooks Campbell, is to be honored in the City of Birmingham on June 8 at a banquet in celebration of Mamye Brooks Campbell Day; and

WHEREAS Mrs. Campbell has given the full extent of her uncommon and varied talents to numerous civic, religious, social, and philanthropic causes. In 1937, she organized through the Alabama Federation of Women's Clubs, the first "Health Forum" in the nation. During World War II, she spent numerous volunteer hours working with the office of Civil Defense and the American Red Cross and served as chairman of the Nutrition Committee. She is a member of the Salvation Army Auxiliary; a member and past President of the Birmingham Pilot Club; a member and past President of the Cosmos Literary Club; a member and past President of Jefferson County Radio and TV Council; a member of American Women in Radio and TV; a member of the Women's Committee of the Birmingham Symphony Association; a member of the Arlington Historical Society, and the Rhododendron Society; she served two terms as Chairman (1968-69) of the Birmingham Beautification Board and steered the project of the naming of the Crape Myrtle as Birmingham's Official Flower. She was the Beautification Coordinator for the Alabama Sesquicentennial Celebration. For her distinguished services in these and many other endeavors, she has received numerous medals and awards including a citation from President Harry S. Truman in recognition of her untiring efforts.

WHEREAS her contributions to the American Cancer Society over the past 36 years are legendary. She began working with the Society in 1937 as a volunteer and in 1948 became its Executive Secretary in Jefferson County. Since her staff affiliation, the amounts of funds raised by the Society in Jefferson County has increased from \$50,000.00 to \$177,000.00.

WHEREAS Mrs. Campbell is a great humanitarian whose resourcefulness and generosity have lent impetus to her every endeavor and whose wise and patient counseling is often sought and highly valued; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we take cordial note of the recognition and honor paid to Mrs. Campbell on Mamye Campbell Day and extend to her our grateful appreciation and warm commendation for her many contributions to this State.

RESOLVED FURTHER That a copy of this resolution be sent to Mrs. Campbell.

On motion of Mr. McMillan, the rules were suspended and the resolution, H. R. 82, was adopted.

Also:

By Messrs. McDonald, St. John and Drake:

H. J. R. 83. MOURNING THE DEATH OF ELMER N. WRIGHT.

WHEREAS, the Legislature of Alabama notes with sincere regret the recent death of Elmer N. Wright, an outstanding citizen and devoted public servant; and

WHEREAS, Elmer N. Wright was a resident of Marshall County and served his state and community in numerous positions including 25 years of service with the State Health Department, served as Vice Chairman of the Marshall County Hospital Board, and Chairman of the County Pensions and Security Board, and also was a member of the DAR High School board of trustees, an organizer of the DAR High School Alumni Association, a member of the Grant Lions Club, member of the VA Sanitariums Department, Scoutmaster, Democratic beat committeeman, member the County Health Center Committee, member of the Arab Hospital committee, Red Cross executive board member, Red Cross first aid instructor, member of Choccolocco Boy Scout Council, member of County Missionary Baptist Executive Board, deacon of the Grant Baptist Church and teacher of the men's Sunday School, president of the Grant Lions Club, president of the PTA, member of the bloodmobile committee and Grant representative on Alabama Sight, Inc.; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we express our deep regret at the passing of Mr. Wright, and extend sincere sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED That the Clerk of the House send a copy of this resolution to his widow, Mrs. Ola Wright, at Grant, Alabama.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 83, on the Clerk's desk for one legislative day.

Also:

By Mr. Coshatt:

H. J. R. 84. CONGRATULATING THE ASHVILLE BULLDOGS FOR WINNING THE THIRD STRAIGHT 2A STATE TRACK CHAMPIONSHIP IN SELMA.

WHEREAS the athletic prowess of the Ashville Bulldogs has been recognized in the sport of track and field for the past two seasons; and

WHEREAS the Bulldogs went into this year's Class 2A State Track Championship with numerous injuries to key personnel; and

WHEREAS Coach Raymond Farmer and Assistant Coach Larry Touart inspired their men to achieve great feats on the way to winning the third straight state Championship for Ashville High School; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate the coaches and team members of this fine team for their outstanding achievement in the area of athletics.

RESOLVED FURTHER That copies of this resolution be sent to the coaches, players, and other interested persons in Ashville.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 84, on the Clerk's desk for one legislative day.

Also:

By Mr. Coshatt:

H. J. R. 85. MOURNING THE DEATH OF MRS. VIRGINIA LUKER.

WHEREAS Mrs. Virginia Luker died recently; and

WHEREAS Mrs. Virginia Luker served diligently twenty-seven years in various capacities of public service to St. Clair County and its citizens; and

WHEREAS Mrs. Virginia Luker used her years of experience as County Clerk and Treasurer of St. Clair County to make the daily operation of County Government beneficial to every resident of the county; and

WHEREAS Mrs. Luker loyally served every Probate Judge of St. Clair County since 1945, providing the office with strong leadership and a sense of public duty directed at efficient operation of that office; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature mourns the death of Mrs. Virginia Luker and extends its heartfelt sympathy to her husband, Forrest D. Luker, and children.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to all survivors of Mrs. Luker and to the County Governing body of St. Clair County.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 85, on the Clerk's desk for one legislative day.

Also:

By Messrs. Waldrop, Carnes and Wynot:

H. J. R. 86. HONORING THE EMMA SANSOM HIGH SCHOOL "REBEL MARCHING BAND" OF GADSDEN, ALABAMA, FOR WINNING FIRST PLACE FOR AN UNPRECEDENTED FIFTH TIME IN THE 1973 "GREATEST BANDS IN DIXIE" CONTEST AT MARDI GRAS IN NEW ORLEANS.

WHEREAS, The Emma Sansom High School "Rebel Marching Band" of Gadsden, Alabama, has for many years distinguished itself by winning three Veterans of Foreign War national band championships, numerous state and regional honors, and has placed first five times in the "Greatest Bands in Dixie" contest, and

WHEREAS, The said Emma Sansom High School "Rebel Marching Band" did place first for an unprecedented fifth time in the "Greatest Bands in Dixie" contest, held during the Mardi Gras Festival in New Orleans, Louisiana, in February, 1973; and

WHEREAS, The Legislature of Alabama deems it appropriate that the said Emma Sansom High School "Rebel Marching Band" be commended for the distinction and honor it has brought upon its members, Emma Sansom High School, Alabama City, Gadsden, Etowah County and the State.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Emma Sansom High School "Rebel Marching Band" be commended for placing first in the "Greatest Bands in Dixie" contest and that said band be further commended for the distinction and honor that it has brought upon its members, Emma Sansom High School, Alabama City, Gadsden, Etowah County, and the State.

BE IT FURTHER RESOLVED That copies of this resolution be sent to the Emma Sansom High School "Rebel Marching Band"; Pat Morrow, the capable and dedicated director of said band; each member of the band; Rip Reagan, principal of the said Emma Sansom High School; Emma Sansom High School Band Booster's Club; Mayor Lesley Gilliland of the City of Gadsden; Dr. Mort Glosser, Superintendent of Gadsden City Schools; and Harry Sizemore, Chairman of the Etowah County Commission.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 86, on the Clerk's desk for one legislative day.

Also:

By Mr. Reynolds:

H. J. R. 87. MOURNING THE DEATH OF MRS. GERTRUDE GOODWIN.

WHEREAS, the Legislature was greatly saddened to learn of the death of Mrs. Gertrude Goodwin who is the mother of our esteemed colleague, Representative J. W. Goodwin; and

WHEREAS Mrs. Goodwin died at the age of 67 leaving three children and five grandchildren, her children being J. W. Goodwin, Don Goodwin, and Mrs. Cynthia Carter; and

WHEREAS she was a member of the Church of Christ and will be greatly mourned by all of her friends in Muscle Shoals, Alabama, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do greatly mourn the loss of Mrs. Gertrude Goodwin and do extend their heartfelt sympathy to her family and friends.

BE IT FURTHER RESOLVED That the Clerk of the House send copies of this resolution to her family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 87, on the Clerk's desk for one legislative day.

BILLS ON THIRD READING

And the bill:

H. 668. To alter, rearrange and extend the corporate limits of the Town of Detroit, Lamar County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Robertson
Agee	Dill	Kinsey	St. John
Bank	Doss	Lutz	Slate
Barkett	Downing	McBride	Smith (K)
Barron	Drake	McCorquodale	Snell
Bassett	Easters	McDonald	Stewart
Benton	Edwards	McMillan	Stokes
Boles	Ellis	McNair	Stubbs
Boutwell	Erdreich	Manley	Therrell
Bowers	Fite	Mathews	Timmons
Brassell	Flipppo	May	Turner
Burgess	Gafford	Meeks	Turnham
Callahan	Grainger	Merrill	Waggoner
Carnes	Gray (F)	Mims	Waldrop
Carter	Grey (D)	Naramore	Wallace
Cauthen	Hale	Nettles	Warren
Chesnut	Hardin	Owens	Weeks
Collins	Harris	Parker	Williams
Connell	Headley	Perloff	Wise
Coshatt	Hobbie	Pruitt	Wood
Cottingham	Hughes	Reed (T)	Wynot
Crawford	Jackson	Reid (R)	Porter
Cross			

—93

And the bill:

H. 766. To provide for the compensation of jurors in Limestone County.

REGULAR SESSION
9th Day

733

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Robertson
Agee	Dill	Kinsey	St. John
Bank	Doss	Lutz	Slate
Barkett	Downing	McBride	Smith (K)
Barron	Drake	McCorquodale	Snell
Bassett	Easters	McDonald	Stewart
Benton	Edwards	McMillan	Stokes
Boles	Ellis	McNair	Stubbs
Boutwell	Erdreich	Manley	Therrell
Bowers	Fite	Mathews	Timmons
Brassell	Flippo	May	Turner
Burgess	Gafford	Meeks	Turnham
Callahan	Grainger	Merrill	Waggoner
Carnes	Gray (F)	Mims	Waldrop
Carter	Grey (D)	Naramore	Wallace
Cauthen	Hale	Nettles	Warren
Chesnut	Hardin	Owens	Weeks
Collins	Harris	Parker	Williams
Connell	Headley	Perloff	Wise
Coshatt	Hobbie	Pruitt	Wood
Cottingham	Hughes	Reed (T)	Wynot
Crawford	Jackson	Reid (R)	Porter
Cross			

—93

And the bill:

H. 767. Relating to Limestone County to repeal Act No. 83, H. 327, 1959 Regular Session (Acts of 1959, p. 499), entitled "An Act To regulate, define and license the practice of barbering in Limestone County, Alabama; to provide rules and regulations concerning sanitation and cleanliness in and about barber shops in said county; to create a board of barber examiners for said county, and define its powers and duties; to fix the punishment for the violation of the provisions of this Act."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Burgess	Crowe	Gafford
Adams	Callahan	Culver	Grainger
Agee	Carnes	Dill	Gray (F)
Bank	Carter	Doss	Grey (D)
Barkett	Cauthen	Downing	Hale
Barron	Chesnut	Drake	Hardin
Bassett	Collins	Easters	Harris
Benton	Connell	Edwards	Headley
Boles	Coshatt	Ellis	Hobbie
Boutwell	Cottingham	Erdreich	Hughes
Bowers	Crawford	Fite	Jackson
Brassell	Cross	Flippo	Jones (F)

9th Day

King	Merrill	Robertson	Turnham
Kinsey	Mims	St. John	Waggoner
Lutz	Naramore	Slate	Waldrop
McBride	Nettles	Smith (K)	Wallace
McCorquodale	Owens	Snell	Warren
McDonald	Parker	Stewart	Weeks
McMillan	Perloff	Stokes	Williams
McNair	Pruitt	Stubbs	Wise
Manley	Reed (T)	Therrell	Wood
Mathews	Reid (R)	Timmons	Wynot
May	Reynolds	Turner	Porter
Meeks			

—93

And the bill:

H. 768. To amend Section 18 of Act No. 403, H. 330, 1971 Regular Session, (Acts of 1971, p. 689) as amended, entitled "An Act Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this act a State Board of Barber Examiners, and defining violation of this act and prescribing penalties therefor" so as to delete Limestone County from the list of counties to which this act does not apply.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Robertson
Agee	Dill	Kinsey	St. John
Bank	Doss	Lutz	Slate
Barkett	Downing	McBride	Smith (K)
Barron	Drake	McCorquodale	Snell
Bassett	Easters	McDonald	Stewart
Benton	Edwards	McMillan	Stokes
Boles	Ellis	McNair	Stubbs
Boutwell	Erdreich	Manley	Therrell
Bowers	Fite	Mathews	Timmons
Brassell	Flippo	May	Turner
Burgess	Gafford	Meeks	Turnham
Callahan	Grainger	Merrill	Waggoner
Carnes	Gray (F)	Mims	Waldrop
Carter	Grey (D)	Naramore	Wallace
Cauthen	Hale	Nettles	Warren
Chesnut	Hardin	Owens	Weeks
Collins	Harris	Parker	Williams
Connell	Headley	Perloff	Wise
Coshatt	Hobbie	Pruitt	Wood
Cottingham	Hughes	Reed (T)	Wynot
Crawford	Jackson	Reid (R)	Porter
Cross			

—93

And the bill:

H. 769. Relating to Limestone County; to authorize the county governing body to print and sell a book about the history of Limestone County.

REGULAR SESSION
9th Day

735

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Robertson
Agee	Dill	Kinsey	St. John
Bank	Doss	Lutz	Slate
Barkett	Downing	McBride	Smith (K)
Barron	Drake	McCorquodale	Snell
Bassett	Easters	McDonald	Stewart
Benton	Edwards	McMillan	Stokes
Boles	Ellis	McNair	Stubbs
Boutwell	Erdreich	Manley	Therrell
Bowers	Fite	Mathews	Timmons
Brassell	Flippo	May	Turner
Burgess	Gafford	Meeks	Turnham
Callahan	Grainger	Merrill	Waggoner
Carnes	Gray (F)	Mims	Waldrop
Carter	Gray (D)	Naramore	Wallace
Cauthen	Hale	Nettles	Warren
Chesnut	Hardin	Owens	Weeks
Collins	Harris	Parker	Williams
Connell	Headley	Perloff	Wise
Coshatt	Hobbie	Pruitt	Wood
Cottingham	Hughes	Reed (T)	Wynot
Crawford	Jackson	Reid (R)	Porter
Cross			

—93

And the bill:

H. 770. Relating to Limestone County; providing that the governing body of Limestone County may provide for the burial or burning of dead cattle, swine, livestock or other such animals when the owner or custodian of the animal fails to do so.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Carter	Easters	Hughes
Adams	Cauthen	Edwards	Jackson
Agee	Chesnut	Ellis	Jones (F)
Bank	Collins	Erdreich	King
Barkett	Connell	Fite	Kinsey
Barron	Coshatt	Flippo	Lutz
Bassett	Cottingham	Gafford	McBride
Benton	Crawford	Grainger	McCorquodale
Boles	Cross	Gray (F)	McDonald
Boutwell	Crowe	Gray (D)	McMillan
Bowers	Culver	Hale	McNair
Brassell	Dill	Hardin	Manley
Burgess	Doss	Harris	Mathews
Callahan	Downing	Headley	May
Carnes	Drake	Hobbie	Meeks

9th Day

Merrill	Reid (R)	Stokes	Wallace
Mims	Reynolds	Stubbs	Warren
Naramore	Robertson	Therrell	Weeks
Nettles	St. John	Timmons	Williams
Owens	Slate	Turner	Wise
Parker	Smith (K)	Turnham	Wood
Perloff	Snell	Waggoner	Wynot
Pruitt	Stewart	Waldrop	Porter
Reed (T)			

—93

And the bill:

H. 111. (With Amendment): Relating to counties having a population in excess of 600,000 inhabitants; providing that retail and wholesale automotive parts businesses, antique dealers, flea markets, gift shops or bowling alleys in such counties may operate on Sunday.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend the Title of H. 111 by adding after the words "gift shops," the following: "and shops operated at public parks, public airports, public auditoriums and civic centers."

Amend Section 1 of said H. 111 by adding in Section 1 thereof, after the word "operation," the words "on Sunday" and by adding after the words "gift shops" the following words, "and shops operated at public parks, public airports, public auditoriums and civic centers."

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Robertson
Agee	Dill	Kinsey	St. John
Bank	Doss	Lutz	Slate
Barkett	Downing	McBride	Smith (K)
Barron	Drake	McCorquodale	Snell
Bassett	Easters	McDonald	Stewart
Benton	Edwards	McMillan	Stokes
Boles	Eliis	McNair	Stubbs
Boutwell	Erdreich	Manley	Therrell
Bowers	Fite	Mathews	Timmons
Brassell	Flippo	May	Turner
Burgess	Gafford	Meeks	Turnham
Callahan	Grainger	Merrill	Waggoner
Carnes	Gray (F)	Mims	Waldrop
Carter	Grey (D)	Naramore	Wallace
Cauthen	Hale	Nettles	Warren
Chesnut	Hardin	Owens	Weeks
Collins	Harris	Parker	Williams
Connell	Headley	Perloff	Wise
Coshatt	Hobbie	Pruitt	Wood
Cottingham	Hughes	Reed (T)	Wynot
Crawford	Jackson	Reid (R)	Porter
Cross			

—93

REGULAR SESSION
9th Day

737

And the bill:

H. 111. Relating to counties having a population in excess of 600,000 inhabitants; providing that retail and wholesale automotive parts businesses, antique dealers, flea markets, gift shops, and shops operated at public parks, public airports, public auditoriums and civic centers or bowling alleys in such counties may operate on Sunday.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Robertson
Agee	Dill	Kinsey	St. John
Bank	Doss	Lutz	Slate
Barkett	Downing	McBride	Smith (K)
Barron	Drake	McCorquodale	Snell
Bassett	Easters	McDonald	Stewart
Benton	Edwards	McMillan	Stokes
Boles	Ellis	McNair	Stubbs
Boutwell	Erdreich	Manley	Therrell
Bowers	Fite	Mathews	Timmons
Brassell	Flippo	May	Turner
Burgess	Gafford	Meeks	Turnham
Callahan	Grainger	Merrill	Waggoner
Carnes	Gray (F)	Mims	Waldrop
Carter	Grey (D)	Naramore	Wallace
Cauthen	Hale	Nettles	Warren
Chesnut	Hardin	Owens	Weeks
Collins	Harris	Parker	Williams
Connell	Headley	Perloff	Wise
Coshatt	Hobbie	Pruitt	Wood
Cottingham	Hughes	Reed (T)	Wynot
Crawford	Jackson	Reid (R)	Porter
Cross			

—93

And the bill:

H. 402. Relating to counties having a population of not less than 60,000 nor more than 65,000 inhabitants according to the most recent federal decennial census; to provide for the distribution of fines and forfeitures in certain cases.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Benton	Carnes	Cottingham
Adams	Boles	Carter	Crawford
Agee	Boutwell	Cauthen	Cross
Bank	Bowers	Chesnut	Crowe
Barkett	Brassell	Collins	Culver
Barron	Burgess	Connell	Dill
Bassett	Callahan	Coshatt	Doss

Downing	Hughes	Mims	Stokes
Drake	Jackson	Naramore	Stubbs
Easters	Jones (F)	Nettles	Therrell
Edwards	King	Owens	Timmons
Ellis	Kinsey	Parker	Turner
Erdreich	Lutz	Perloff	Turnham
Fite	McBride	Pruitt	Waggoner
Flippo	McCorquodale	Reed (T)	Waldrop
Gafford	McDonald	Reid (R)	Wallace
Grainger	McMillan	Reynolds	Warren
Gray (F)	McNair	Robertson	Weeks
Grey (D)	Manley	St. John	Williams
Hale	Mathews	Slate	Wise
Hardin	May	Smith (K)	Wood
Harris	Meeks	Snell	Wynot
Headley	Merrill	Stewart	Porter
Hobbie			

—93

And the bill:

H. 750. Relating to counties having a population of not less than 42,000 nor more than 49,500 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Robertson
Agee	Dill	Kinsey	St. John
Bank	Doss	Lutz	Slate
Barkett	Downing	McBride	Smith (K)
Barron	Drake	McCorquodale	Snell
Bassett	Easters	McDonald	Stewart
Benton	Edwards	McMillan	Stokes
Boles	Ellis	McNair	Stubbs
Boutwell	Erdreich	Manley	Therrell
Bowers	Fite	Mathews	Timmons
Brassell	Flippo	May	Turner
Burgess	Gafford	Meeks	Turnham
Callahan	Grainger	Merrill	Waggoner
Carnes	Gray (F)	Mims	Waldrop
Carter	Grey (D)	Naramore	Wallace
Cauthen	Hale	Nettles	Warren
Chesnut	Hardin	Owens	Weeks
Collins	Harris	Parker	Williams
Connell	Headley	Perloff	Wise
Coshatt	Hobbie	Pruitt	Wood
Cottingham	Hughes	Reed (T)	Wynot
Crawford	Jackson	Reid (R)	Porter
Cross			

—93

And the bill:

H. 665. To provide further for the compensation of deputy sheriffs and the jailer in counties having populations of not less than 42,000 nor more than 49,500.

REGULAR SESSION
9th Day

739

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Robertson
Agee	Dill	Kinsey	St. John
Bank	Doss	Lutz	Slate
Barkett	Downing	McBride	Smith (K)
Barron	Drake	McCorquodale	Snell
Bassett	Easters	McDonald	Stewart
Benton	Edwards	McMillan	Stokes
Boles	Ellis	McNair	Stubbs
Boutwell	Erdreich	Manley	Therrell
Bowers	Fite	Mathews	Timmons
Brassell	Flippo	May	Turner
Burgess	Gafford	Meeks	Turnham
Callahan	Grainger	Merrill	Waggoner
Carnes	Gray (F)	Mims	Waldrop
Carter	Grey (D)	Naramore	Wallace
Cauthen	Hale	Nettles	Warren
Chesnut	Hardin	Owens	Weeks
Collins	Harris	Parker	Williams
Connell	Headley	Perloff	Wise
Coshatt	Hobbie	Pruitt	Wood
Cottingham	Hughes	Reed (T)	Wynot
Crawford	Jackson	Reid (R)	Porter
Cross			

—93

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for the Journal to show Messrs. Smith (P), McCluskey and Casey voting "Yea" on all local bills.

RESOLUTION

The following resolution was introduced:

By Mr. May:

H. J. R. 88. THANKING THE MOBILE AREA CHAMBER OF COMMERCE FOR ITS HOSPITALITY TO THE LEGISLATURE

WHEREAS, the Mobile Area Chamber of Commerce so thoughtfully extended its warm hand to the members of the Legislature May 31, June 1 and 2; and

WHEREAS, there were numerous other individuals who assisted in making the trip one of information and delight to all legislators and their guests; The Mobile County Legislative Delegation, The Southern Railway, the Alabama Railroad Association, and all the associations and friends that participated in this worthwhile occasion; and

WHEREAS, the trip began and ended on a delightful note, that being the joyous train ride that thrilled every member of the party, with all activities falling between the two trips being just as enjoyable; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That a sincere thanks is extended to the Mobile Area Chamber of Commerce and all other groups or individuals responsible for the many courtesies presented to the members of this legislature.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to the Mobile Area Chamber of Commerce and all other groups or associations mentioned above.

On motion of Mr. May, the rules were suspended and the resolution, H. J. R. 88, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 76. Commending James R. Maxwell upon his retirement as Tax Collector of Tuscaloosa County.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. McCorquodale:

H. J. R. 89. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, June 12, 1973.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 89, was adopted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Mathews to suspend the rules in order to take up out of order the bill, H. 322, was adopted.

And the bill:

H. 322. (With Substitute): To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1974, and September 30, 1975.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1974, and September 30, 1975.

Be It Enacted by the Legislature of Alabama:

Section 1. That for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions, including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rental and items of general expense not defined as "equipment purchases", and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment, motor vehicle equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (c) and (d) hereof. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Section 2. The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and are hereby made for the support of public education in Alabama for each of the two fiscal years ending September 30, 1974, and September 30, 1975, respectively; and, except as may be otherwise expressly provided, the appropriation herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55 of the Code of Alabama 1940) and shall be in the amounts specified in said sections.

Section 3. DEPARTMENT OF
EDUCATION:

A. For the Department of Education:

For the fiscal year ending September 30, 1974:

For the salary of the State Superintendent

23,500.00

JOURNAL OF THE HOUSE, 1973
9th Day

For other salaries	931,263.00	
For other expenses	149,200.00	
For rental expense	98,058.00	
For equipment purchases	33,622.00	
For transfer to State Personnel Department	22,300.00	
Total		1,257,943.00
For the fiscal year ending September 30, 1975:		
For the salary of the State Superintendent	23,500.00	
For other salaries	1,015,769.00	
For other expenses	162,080.00	
For rental expense	475,000.00	
For equipment purchases	39,670.00	
For transfer to State Personnel Department	22,300.00	
Total		1,738,319.00
B. Department of Education In-Service Training		1,000,000.00
C. For Adult Basic Education:		
To be used to match Federal funds for a removal of illiteracy program:		
For the fiscal year ending September 30, 1974		150,000.00
For the fiscal year ending September 30, 1975		160,000.00
D. Civil Defense Survival Plan:		
For salaries and other expenses only, in the operation of the Civil Defense Survival Plan:		
For the fiscal year ending September 30, 1974		13,797.00
For the fiscal year ending September 30, 1975		14,487.00
E. Coordination of In-School Television Program:		
For the fiscal year ending September 30, 1974:		
For salaries	61,212.00	
For other expenses	13,500.00	
For equipment purchases	2,500.00	
Total		77,212.00
For the fiscal year ending September 30, 1975:		

REGULAR SESSION
9th Day

743

For salaries	64,280.00	
For other expenses	13,500.00	
For equipment purchases	2,500.00	
Total		80,280.00
F. For Driver Education and Transportation:		
For the fiscal year ending September 30, 1974:		
For salaries	162,610.00	
For other expenses	58,806.00	
For equipment purchases	600.00	
Total		222,016.00
For the fiscal year ending September 30, 1975:		
For salaries	178,871.00	
For other expenses	64,687.00	
For equipment purchases	660.00	
Total		244,218.00
G. Drug Education Program:		
For the necessary education on drug abuse:		
For salaries and expenses	98,500.00	
For equipment purchases	1,500.00	
Total		100,000.00
H. For matching federal funds available under the provisions of the Manpower Development Training Act:		
For the fiscal year ending September 30, 1974		100,000.00
For the fiscal year ending September 30, 1975		150,000.00
I. National Defense Education Program:		
For the fiscal year ending September 30, 1974		194,262.00
For the fiscal year ending September 30, 1975		213,689.00
J. To the Department of Education for Plans and Surveys:		
For the fiscal year ending September 30, 1974:		
For salaries	49,680.00	
For other expenses	5,280.00	
Total		54,960.00

JOURNAL OF THE HOUSE, 1973
9th Day

For the fiscal year ending September 30, 1975:

For salaries	54,648.00
For other expenses	5,808.00
For equipment purchases	600.00

Total	61,056.00
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K. For Regional Technical Institute ..	300,000.00
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Section 4. STATE BOARD OF
EDUCATION:

A. Agricultural and Mechanical University:

For the operation and maintenance of the University:

For the fiscal year ending September 30, 1974	3,825,731.00
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For the fiscal year ending September 30, 1975	3,919,021.00
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B. For Atmore Trade School:

For operation and maintenance:

For the fiscal year ending September 30, 1974	123,468.00
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For the fiscal year ending September 30, 1975	200,000.00
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C. Alabama State University:

For the operation and maintenance of the University at Montgomery:

For the fiscal year ending September 30, 1974	3,804,796.00
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For the fiscal year ending September 30, 1975	3,975,744.00
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D. Civilian Rehabilitation:

For the fiscal year ending September 30, 1974:

For the rehabilitation of handicapped individuals	3,317,702.00
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For the Governor's Committee on Employment of Handicapped	20,000.00
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Total	3,337,702.00
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For the fiscal year ending September 30, 1975:

For the rehabilitation of handicapped individuals	3,517,702.00
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REGULAR SESSION
9th Day

745

For the Governor's Committee on Employment of Handicapped	20,000.00	
Total		3,537,702.00
E. For Compact for Education		10,500.00
(To be expended in accordance with Act No. 1143, 1969 Regu- lar Session.)		
F. For Driver Education:		
For the fiscal year ending Septem- ber 30, 1974		2,919,966.00
For the fiscal year ending Septem- ber 30, 1975		3,851,122.00
G. Elementary Teachers Scholarship Fund		25,000.00
H. Free Textbooks:		
For the fiscal year ending Septem- ber 30, 1974:		
For salaries	48,000.00	
For other expenses	36,657.00	
For disbursements to Local Boards	57,750.00	
For equipment purchases	1,200.00	
For the repair of used and the pur- chase of new textbooks	4,705,393.00	
For Operation of Course Study Commission	5,000.00	
Total		4,854,000.00
For the fiscal year ending Septem- ber 30, 1975:		
For salaries	52,800.00	
For other expenses	37,775.00	
For disbursements to Local Boards	60,637.00	
For equipment purchases	1,000.00	
For the repair of used and the pur- chase of new textbooks	4,842,788.00	
For Operation of Course Study Commission	5,000.00	
Total		5,000,000.00
I. Alabama High School of Fine Arts:		
For operation and maintenance		225,000.00
The above appropriation is to carry out the provisions of HJR 145 of the 1971 Regular Session.		
J. Junior College Equalization Ac- count:		
(a) For operation and maintenance of the Junior Colleges listed		

9th Day

below, to be distributed on a formula adopted by the State Board of Education:

For the fiscal year ending Sep- tember 30, 1974	17,102,481.00
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For the fiscal year ending Sep- tember 30, 1975	18,719,252.00
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- (b) For operation and maintenance of the Junior Colleges listed below, to be distributed on a formula adopted by the State Board of Education, conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor:

For the fiscal year ending Sep- tember 30, 1974	1,500,000.00
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For the fiscal year ending Sep- tember 30, 1975	2,500,000.00
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(The above appropriations in sub-sections (a) and (b) are to be distributed to the following Junior Colleges: (1) Alexander City; (2) Albert P. Brewer; (3) John C. Calhoun; (4) Enterprise State; (5) James H. Faulkner; (6) Gadsden (7) Jefferson Davis; (8) Jefferson State; (9) Theodore Alfred Lawson; (10) Mobile State; (11) Northeast; (12) Northwest; (13) Patrick Henry; (14) Snead State; (15) Southern Union; (16) George C. Wallace (Napier Field); (17) George C. Wallace (Selma); (18) Lurleen B. Wallace

- (c) For the administration of the State System of Junior Colleges:

For the fiscal year ending Sep- tember 30, 1974	150,000.00
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For the fiscal year ending Sep- tember 30, 1975	175,000.00
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K. J. F. Ingram Vocational Technical School:

For the operation and maintenance of a Vocational Technical School	200,000.00
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L. State Mental Health Department:

For salaries, other expenses and
equipment purchases necessary to
operate schools at Alabama State
Hospitals:

For the fiscal year ending Septem- ber 30, 1974	40,125.00
For the fiscal year ending Septem- ber 30, 1975	50,125.00

M. State Mental Health Department:

For salaries, other expenses and
equipment purchases necessary to
operate a school at Partlow State
School:

For the fiscal year ending Septem- ber 30, 1974	281,022.00
For the fiscal year ending Septem- ber 30, 1975	316,000.00

N. Minimum Program Fund:

(a) In addition to all other funds appropriated for the public elementary and high schools of the State, there is hereby appropriated to the State Board of Education for the fiscal year ending September 30, 1974, the sum of \$302,919,589.00 and for the fiscal year ending September 30, 1975, the sum of \$301,919,589.00 to be known as the Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State; provided, that so much thereof as may be necessary of the above appropriations for each year shall be used by the State Board of Education to provide for additional teacher units for each school system in the State which on the basis of current school attendance shall be entitled to additional teacher units over the number allowed based on the year immediately preceding said current year; provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgment of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all monies earmarked for public school teachers' salaries as provided in the Income Tax Amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds, either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund. Provided, that all funds herein appropriated for transportation of students including, but not limited to, those amounts recommended for transportation in the Governor's budget recommendations for the minimum program fund are conditional upon the approval of the Governor who may authorize the release of all such funds or such amounts as he deems necessary.

(b) In addition to the appropriations hereinabove made to the Minimum Program Fund, there is hereby appropriated five million dollars (\$5,000,000.00) for the fiscal year ending September 30, 1975, conditional upon the condition of the Alabama Special Educational Trust Fund and the approval of the Governor.

(c) It is provided that from the appropriation hereinabove made the State Board of Education shall allocate and pay from said appropriations not less than five hundred (500) additional teacher units for the program for exceptional children. Five hundred (500) teacher units are to be allocated for fiscal year ending September 30, 1974. An additional five hundred (500) teacher units are to be allocated for the fiscal year ending September 30, 1975, conditional upon the payment of the conditional appropriation contained herein. Twenty-five (25) of the teacher units appropriated may be used in early education programs for exceptional children and twenty-five (25) teacher units may be used in regional, multi-system, and/or statewide programs for exceptional children during each year of the biennium.

It is provided that beginning with the fiscal year 1973-74, that in addition to the salary now received, all teachers under the Minimum Program shall receive a salary increase as follows: Rank I teachers not less than one thousand one hundred sixty dollars (\$1,160.00) per annum; Rank II teachers not less than one thousand dollars (\$1,000.00) per annum; Rank III teachers not less than eight hundred eight dollars (\$808.00) per annum; Rank IV teachers not less than six hundred eighty-one dollars (\$681.00) per annum; teachers holding Rank AA Certificates shall be paid six hundred dollars (\$600.00) per annum above the total amount paid to Rank I teachers with like experience; and any county or city board of education failing to comply herewith shall not be entitled to participate in the Minimum Program Fund. Said county or city school board shall not pay the aforementioned raise to any teacher who participates in, encourages or condones any mass truancy even for a single day, or any extra-curricular demonstration which is not approved by the City, County or State Board of Education and said teacher shall forfeit the aforementioned increase for that particular year. The State Board of Education may review the action of any System, City or County and require the forfeiture and may withhold said amount from appropriations to the said City or County School Board and said teacher or may review and direct payment to said teacher. It is further provided, that in addition to the salary now received, all school bus drivers shall receive a salary increase of not less than five per centum (5%) per annum, and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

It is provided that in addition to all units earned by the local school system under the Minimum Program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program calculation and the additional units earned through the one (1) to fifteen (15) ratio as set further herein. No school system may reduce during the biennium the number of teachers it employed with local funds during the school year 1972-73 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios. The local school system shall furnish the State De-

REGULAR SESSION
9th Day

749

partment of Education such information as may be necessary to determine that the provisions of this section have been implemented.

Where additional teacher units are allocated under the minimum program fund for exceptional children during the biennium ending September 30, 1975, not less than eight hundred dollars (\$800.00) per teacher unit will be provided from the absolute and conditional appropriations hereinabove for the purpose of purchasing instructional material, classroom instructional equipment and the testing of children for the initial year of operation. All existing and additional teacher units for exceptional children funded with minimum program funds are to receive not less than four hundred dollars (\$400.00) per teacher unit of other current expenses for the purpose of purchasing instructional materials, classrooms instructional equipment and the testing of children housed in public or nonpublic schools.

On or before January 1, 1974 and January 1, 1975, each local board shall report in writing to the State Superintendent of Education, Legislative Council and the Governor on the manner on which the foregoing has been implemented.

O. Minimum Program Account:

Trainable Retarded Children,

For the fiscal year ending September 30,
1974:

For salaries	84,200.00	
For other expenses	7,330.00	
For distribution to Local Board	433,470.00	
For Special Education	360,000.00	
Total		885,000.00

For the fiscal year ending September 30,
1975:

For salaries	89,120.00	
For other expenses	8,063.00	
For distribution to Local Boards	441,817.00	
For Special Education	396,000.00	
Total		935,000.00

The appropriation hereinabove made for salaries and other expenses shall be expended by the State Board of Education for the cost incurred by the State Department of Education in the administration of this program. The appropriation hereinabove made for disbursement to local boards shall be used for the education and training of trainable retarded children and shall include the operation and maintenance of classrooms, classes, transportation of trainable retarded pupils where justified, and compensation of teachers in accordance with Act No. 67, approved June 27, 1963, in accordance with the regulations of the State Board of Education and in accordance with Act No. 249, approved August 16, 1955. The appropriation for Special Education is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.

P. For Training Teachers of Exceptional Children	250,000.00
Q. The establishment and operations of a statewide Instructional Materials Center for exceptional children	50,000.00
R. Purchase of special instructional equipment for severely disabled children	50,000.00
S. Physical Restoration of Crippled Children:	
Handicapped Individuals:	
For the fiscal year ending September 30, 1974	2,126,029.00
For the fiscal year ending September 30, 1975	2,441,459.00
T. For Regional Education	123,250.00
U. Vocational Education:	
(a) For the fiscal year ending September 30, 1974:	
For salaries	64,200.00
For other expenses	33,770.00
For rental expense	8,250.00
For equipment purchases	1,650.00
Disbursements to Local Boards and Institutions	17,211,991.00
Total	17,319,861.00
For the fiscal year ending September 30, 1975:	
For salaries	70,620.00
For other expenses	35,459.00
For rental expense	8,663.00
For equipment purchases	1,733.00
Disbursements to Local Boards and Institutions	19,000,344.00
Total	19,116,819.00
(b) For salaries, other expenses, equipment purchases and disbursements to local boards and institutions, conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor:	
For the fiscal year ending September 30, 1974	2,206,928.00
For the fiscal year ending September 30, 1975	4,413,855.00

The appropriations hereinabove shall be disbursed or obligated during the specified fiscal year in accordance with a formula adopted by the State Board of Education. The total allocation of funds to each county and city board of education from the hereinabove appropriation when combined with Federal Vocational Funds shall be at least equal to the amount received by the respective board during the preceeding fiscal year and in addition thereto, a sum equal to the percentage equivalency provided for in the Minimum Program salary increase contained in Section 4 Paragraph N (b). In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his pro rata share under the adopted State Board of Education formula.

Any funds appropriated hereinabove in excess of the preceeding fiscal year's distribution and in excess of the percentage salary equivalency under the Minimum Program provision shall be allocated by priorities to those boards that have less than their entitlement.

Vocational Education:

(c) For Industrial Development Training 1,300,000.00

V. State Vocational Technical School Equalization Account:

(a) For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education:

For the fiscal year ending September 30, 1974 12,760,000.00

For the fiscal year ending September 30, 1975 13,760,000.00

(b) For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education, conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor

1,432,000.00

The above appropriations in sub-sections (a) and (b) are to be distributed to the following Vocational Technical Schools:

- (1) Alabama Institute of Aviation Technology; (2) Alabama School of Trades; (3) Harry M. Ayers; (4) Bessemer State; (5) John C. Calhoun; (6) Car-

9th Day

ver State; (7) J. F. Drake; (8) Gadsden; (9) Hobson; (10) Douglas MacArthur; (11) Muscle Shoals; (12) Northwest Alabama; (13) N. F. Nunnelle; (14) Opelika State; (15) John M. Patterson; (16) Ed E. Reid; (17) Shelton State; (18) Southwest State; (19) Chauncey Sparks; (20) Councill Trenholm State; (21) Tuscaloosa; (22) Walker County; (23) George C. Wallace, Cullman; (24) George C. Wallace, Dothan; (25) George C. Wallace, Selma; (26) Wenonah.

W. George C. Wallace Junior College (Selma, Alabama)

For library books and equipment:

For the fiscal year ending September 30, 1974	75,000.00
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X. Birmingham Training Center:

To establish a pilot program for the training of brain-injured children in Alabama	29,100.00
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Section 5. BOARD OF TRUSTEES OF AUBURN UNIVERSITY:

A. The College:

(1) For operation and maintenance:

For the fiscal year ending September 30, 1974	19,659,260.00
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For the fiscal year ending September 30, 1975	20,569,713.00
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For operation and maintenance conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor	700,000.00
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(2) Engineering Experiment Station:

For the fiscal year ending September 30, 1974	380,463.00
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For the fiscal year ending September 30, 1975	395,774.00
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(3) Television Education:

For the fiscal year ending September 30, 1974	257,799.00
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REGULAR SESSION
9th Day

753

For the fiscal year ending September 30, 1975 260,489.00

B. Extension Work for Agriculture and Home Economics:

- (1) For advising, demonstrating and informing people of Alabama in agricultural, farm and home pursuits, and other extension services:

For the fiscal year ending September 30, 1974 3,848,209.00

For the fiscal year ending September 30, 1975 3,950,334.00

- (2) For Rural Resources Development Program:

For the fiscal year ending September 30, 1974 226,908.00

For the fiscal year ending September 30, 1975 236,015.00

- (3) Cooperative Extension Service, conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor

300,000.00

The appropriation herein made for the Extension Service shall be expended under the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

C. Agriculture Research:

- (1) Alabama Agricultural Experiment Station at Auburn, for work and experimentation:

For the fiscal year ending September 30, 1974 3,647,746.00

For the fiscal year ending September 30, 1975 3,745,799.00

- (2) Agricultural Experiment Station, conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor

300,000.00

- (3) Alabama Agriculture Experiment Station at Auburn for work and experimentation in Agriculture

Research, conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor ----	50,000.00
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That all research work and experimentation contemplated by the spirit and purpose of this sub-section (C) shall be carried out under the supervision of the Director of the Agricultural Experiment Station System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for each of the fiscal years ending September 30, 1974 and September 30, 1975.

The funds provided in this subsection (C) shall be used for the support of researches, experiments, and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the production, marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns and other sod crop purposes; for the testing of varieties of crops, including soil adaption and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease and insect pests; for researches and experiments dealing with forest production, management and use; for researches dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researches to discover new uses of land; for the provisions of necessary land, buildings, fencing livestock and other physical equipment needed for the research work herein provided for; for researches in game and fish production; provided, however, that any researches in game and fish production shall be in cooperation with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researches and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

D. Auburn University—Montgomery, Alabama:

For operation and maintenance:

For the fiscal year ending September 30, 1974	2,159,766.00
For the fiscal year ending September 30, 1975	2,541,133.00

E. Center for Vocational and Adult Education:

For the fiscal year ending September 30, 1974	225,000.00
For the fiscal year ending September 30, 1975	495,000.00

REGULAR SESSION
9th Day

755

Section 6. BOARD OF TRUSTEES
OF ALABAMA BOYS'
INDUSTRIAL SCHOOL:

For the operation and maintenance of the Alabama Boys' Industrial School ...	780,000.00
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Section 7. BOARD OF TRUSTEES
OF ALABAMA INSTI-
TUTE FOR DEAF AND
BLIND:

(a) For operation and maintenance of
the school:

For the fiscal year ending Septem- ber 30, 1974	2,144,431.00
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For the fiscal year ending Septem- ber 30, 1975	2,189,928.00
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(b) For salaries and expenses incident
to instruction of Adult Blind and
for operation of the Trade School
at the Institute:

For the fiscal year ending Septem- ber 30, 1974	858,285.50
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For the fiscal year ending Septem- ber 30, 1975	630,695.50
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Section 8. DEBT SERVICE:

(1) For the payment of principal and
interest due on bonds issued by
Auburn University (Alabama
Polytechnic Institute) pursuant
to Constitutional Amendment No.
CXX,

For the fiscal year ending Septem- ber 30, 1974	306,095.00
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For the fiscal year ending Septem- ber 30, 1975	307,720.00
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(2) For the payment of principal and
interest due on bonds issued by
the University of Alabama pur-
suant to Constitutional Amend-
ment No. CXIX,

For the fiscal year ending Septem- ber 30, 1974	306,095.00
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For the fiscal year ending Septem- ber 30, 1975	307,720.00
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(3) For the payment of principal and
interest due on bonds issued by
the University of Alabama Re-

JOURNAL OF THE HOUSE, 1973
9th Day

search Institute pursuant to
Constitutional Amendment No.
CLVII,

For the fiscal year ending September 30, 1974	201,200.00
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For the fiscal year ending September 30, 1975	201,769.55
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(4) Interest on Endowments:

For the fiscal year ending September 30, 1974:

For interest on University of Montevallo (Alabama College) Endowment, estimated	42,000.00
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For interest on Auburn University Endowment	20,280.00
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For interest on University of Alabama Endowment	61,000.00
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For interest on Grove Hill Endowment	600.00
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For interest on Public School Fund Endowment:

Interest on 16th Section lands, estimated	275,000.00
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Interest on School Indemnity, lands, estimated	62,135.81
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Interest on Valueless 16th Section lands	5,825.47
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Interest on Surplus Revenue	26,763.47
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Interest on James Wallace Fund	275.25
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Total	493,880.00
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For the fiscal year ending September 30, 1975:

For interest on University of Montevallo (Alabama College) Endowment, estimated	42,000.00
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For interest on Auburn University Endowment	20,280.00
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For interest on University of Alabama Endowment	61,000.00
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For interest on Grove Hill Endowment	600.00
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For interest on Public School Fund Endowment:

Interest on 16th Section Lands, estimated	280,000.00
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Interest on School Indemnity lands, estimated	67,135.81
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Interest on Valueless 16th Section lands	5,825.47
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REGULAR SESSION
9th Day

757

Interest on Surplus Revenue	26,763.47	
Interest on James Wallace Fund	275.25	
Total		503,880.00
Section 9. BOARD OF DENTAL SCHOLARSHIP AWARDS:		
For Dental Scholarships at the University of Alabama School of Dentistry or any other dental school accredited by the Council on Dental Education of the American Dental Association. To be expended under the provisions of Act No. 793, 1965 Regular Session		
		83,000.00
Section 10. EDUCATION OF DEPENDENTS OF BLIND PARENTS:		
For reimbursement of every Alabama State institution of higher learning, college, university, or Alabama State Trade School or Junior College, in which benefits are given to dependents of blind parents under the provisions of Act No. 281, 1966 Special Session; estimated:		
For the fiscal year ending September 30, 1974		6,300.00
For the fiscal year ending September 30, 1975		6,930.00
Section 11. ALABAMA EDUCATION STUDY COMMISSION:		
To be used for educational studies in accordance with Act No. 15, 1969 Special Session:		
For the fiscal year ending September 30, 1974:		
For salaries	80,181.00	
For other expenses	118,055.00	
For equipment purchases	6,764.00	
Total		205,000.00
For the fiscal year ending September 30, 1975:		
For salaries	81,001.00	
For other expenses	117,999.00	
For equipment purchases	6,000.00	
Total		205,000.00

Section 12. ALABAMA
EDUCATIONAL
TELEVISION
COMMISSION:

For the fiscal year ending September 30,
1974:

For salaries	598,000.00
For other expenses	425,800.00
For equipment purchases	100,000.00
For automotive equipment purchases	11,200.00
For programming	325,000.00

Total	1,460,000.00
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For the fiscal year ending September 30,
1975:

For salaries	655,000.00
For other expenses	448,800.00
For equipment purchases	140,000.00
For automotive equipment purchases	11,200.00
For programming	350,000.00

Total	1,605,000.00
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Section 13. BOARD OF TRUSTEES
OF FLORENCE STATE
UNIVERSITY:

For the fiscal year ending September 30,
1974:

For operation and maintenance of the University	3,595,820.00
For School of Nursing Scholarships	18,000.00
(To be expended in accordance with Act No. 2304, 1971 Regular Session.)	

For the fiscal year ending September 30,
1975:

For operation and maintenance of the University	3,760,902.00
For School of Nursing Scholarships	18,000.00
(To be expended in accordance with Act No. 2304, 1971 Regular Session.)	

Section 14. COMMISSION ON
HIGHER EDUCATION:

For operation and maintenance	300,000.00
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Section 15. BOARD OF TRUSTEES
OF ALABAMA
INDUSTRIAL SCHOOL
AT MT. MEIGS,
ALABAMA:

For operation and maintenance of the Alabama Industrial at Mt. Meigs, Ala- bama	700,000.00
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REGULAR SESSION
9th Day

759

Section 16. BOARD OF TRUSTEES
OF JACKSONVILLE
STATE UNIVERSITY.

For the fiscal year ending September 30,
1974:

For operation and maintenance of the University	5,644,440.00
For School of Nursing Scholarships	18,000.00
(To be expended in accordance with Act No. 2288, 1971 Regular Session.)	
For Gadsden Program	200,000.00

For the fiscal year ending September 30,
1975:

For operation and maintenance of the University	5,862,826.00
For School of Nursing Scholarships	18,000.00
(To be expended in accordance with Act No. 2288, 1971 Regular Session.)	
For Gadsden Program	200,000.00

Section 17. BOARD OF TRUSTEES
OF LIVINGSTON
STATE UNIVERSITY:

For the fiscal year ending September 30,
1974:

For operation and maintenance of the University	1,846,269.00
For Hospital and Medical Services Schol- arship Fund	18,000.00

For the fiscal year ending September 30,
1975:

For operation and maintenance of the University	1,909,425.00
For Hospital and Medical Services Schol- arship Fund	18,000.00

Section 18. MARINE
ENVIRONMENTAL
CONSORTORIUM:

For operation and maintenance:

For the fiscal year ending September 30, 1974	250,000.00
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For the fiscal year ending September 30, 1975	258,750.00
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(To be expended in accordance with
Acts No. 946 and 2432, 1971 Regular
Session.)

Section 19. MEDICAL
SCHOLARSHIPS
BOARD:

For Medical Scholarships at the University of Alabama Medical School. To be expended under the provisions of Act No. 278, 1965 1st Special Session	135,000.00
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Section 20. BOARD OF TRUSTEES
OF UNIVERSITY OF
MONTEVALLO:

(a) For the fiscal year ending September 30, 1974:

For operation and maintenance of the University	2,937,127.00
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For operation and maintenance of a school for Aphasic Children	127,032.00
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For operation and maintenance of a Highway Safety Program.	100,000.00
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(b) For the fiscal year ending September 30, 1975:

For operation and maintenance of the University	2,994,815.00
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For operation and maintenance of a School for Aphasic Children	132,113.00
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For operation and maintenance of a Highway Safety Program	100,000.00
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(b) For operation and maintenance conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor	250,000.00
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Section 21. SOCIAL SECURITY:

For State's share of Social Security:

For the fiscal year ending September 30, 1974, estimated	22,750,000.00
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For the fiscal year ending September 30, 1975, estimated	24,700,000.00
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Section 22. SYLACAUGA NURSES
TRAINING SCHOOL:

For the operation and maintenance of the Nurses Training School at Sylacauga	40,000.00
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For School of Nursing Scholarships ..	18,000.00
(To be expended in accordance with Act No. 2393, 1971 Regular Session.)	

Section 23. BOARD OF TRUSTEES
OF THE UNIVERSITY
OF SOUTH ALABAMA:

- (a) For operation and maintenance of the University:
 - For the fiscal year ending September 30, 1974 5,241,884.00
 - For the fiscal year ending September 30, 1975 5,568,397.00
- (b) For operation and maintenance of the University conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor 200,000.00
- (c) For the operation and maintenance of a College of Medicine, School of Nursing and University Hospital:
 - For the fiscal year ending September 30, 1974 2,515,000.00
 - For the fiscal year ending September 30, 1975 3,660,369.00
- (d) For Nursing Scholarships 18,000.00
(To be expended in accordance with Act No. 2302, 1971 Regular Session.)
- (e) For Coordinate College for Health Professions:
 - For the fiscal year ending September 30, 1974 392,000.00
 - For the fiscal year ending September 30, 1975 512,435.00
- (f) For the University Teaching Hospital 750,000.00
- (g) For the University Medical College:
 - For the fiscal year ending September 30, 1974 250,000.00
 - For the fiscal year ending September 30, 1975 325,000.00

Section 24. BOARD OF CONTROL
OF THE TEACHERS'
RETIREMENT
SYSTEM:

For the fiscal year ending September 30, 1974:

For the Teachers' Retirement System, Est.	52,000,000.00
For the fiscal year ending September 30, 1975:	
For the Teachers' Retirement System, Est.	56,500,000.00
The above appropriations shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund.	
For the Teachers' Special Pension Fund	1,500,000.00
Section 25. STATE TENURE COMMISSION:	
For expense of operation	5,000.00
Section 26. BOARD OF TRUSTEES OF THE STATE TRAINING SCHOOL FOR GIRLS:	
For operation and maintenance of the State Training School for Girls:	
For the fiscal year ending September 30, 1974	640,000.00
For the fiscal year ending September 30, 1975	650,000.00
Section 27. BOARD OF TRUSTEES OF TROY STATE UNIVERSITY:	
For operation and maintenance of the University:	
For the fiscal year ending September 30, 1974	4,335,008.00
For the fiscal year ending September 30, 1975	4,477,931.00
For School of Nursing Scholarships (To be expended in accordance with Act No. 2292, 1971 Regular Session.)	36,000.00
Section 28. BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA:	
A. The University:	
(1) For operation and maintenance:	
For the fiscal year ending September 30, 1974	19,495,112.00
For the fiscal year ending September 30, 1975	20,788,196.00

REGULAR SESSION
9th Day

763

(2) For operation and maintenance conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor	500,000.00
(3) For School of Medicine:	
For the fiscal year ending September 30, 1974	877,676.00
For the fiscal year ending September 30, 1975	1,016,256.00
(4) For Public Service, Research and Extension	1,066,200.00
(5) For Nursing Scholarships	18,000.00
(6) For Alabama Law Institute Library	50,000.00
(7) For Gadsden Cooperative Upper Division Program	138,903.00
(8) For Public Service, Research and Extension conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor	275,000.00
B. The University—Birmingham:	
For the fiscal year ending September 30, 1974:	
(1) For the School of Community and Allied Health Resources	900,292.00
(2) For the School of Dentistry:	
For operation and maintenance	2,847,226.00
(3) For Diabetes Clinic:	
For operation and maintenance	92,387.00
(4) For the University College	6,302,250.00
(5) For Center for Labor Education and Research	230,000.00
(6) For Medical School:	
(a) For operation and maintenance	6,767,696.00
(b) For operation and maintenance of Medical Information Service via Telephone	75,000.00
(7) For School of Optometry:	
For operation and maintenance	646,708.00
(8) For School of Nursing	934,407.00
(9) For School of Nursing—Scholarships	88,400.00
(10) For Student Nurses—Loan Fund ..	12,000.00
(11) For the University Hospital and Clinics	1,666,323.00
(12) For Joint Health Science Program:	
For operation and maintenance	1,154,836.00

JOURNAL OF THE HOUSE, 1973
9th Day

(13) For Lurleen B. Wallace Cancer Program:	
For operation and maintenance	100,000.00
(14) For the Center for Vocational and Adult Teacher Education	100,000.00
(15) The University College:	
For operation and maintenance conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor	250,000.00
For the fiscal year ending September 30, 1975:	
(1) For the School of Community and Allied Health Resources	936,304.00
(2) For the School of Dentistry:	
For operation and maintenance	3,515,553.00
(3) For Diabetes Clinic:	
For operation and maintenance	92,387.00
(4) For the University College	7,076,520.00
(5) For Center for Labor Education and Research	230,000.00
(6) For Medical School:	
(a) For operation and maintenance	7,106,079.00
(b) For operation and maintenance of Medical Information Service via Telephone	75,000.00
(7) For School of Optometry:	
For operation and maintenance	739,095.00
(8) For School of Nursing	971,783.00
(9) For School of Nursing—Scholarships	88,400.00
(10) For Student Nurses—Loan Fund	12,000.00
(11) For the University Hospital and Clinics	1,816,550.00
(12) For Joint Health Science Program:	
For operation and maintenance	1,154,836.00
(13) For Lurleen B. Wallace Cancer Program:	
For operation and maintenance	100,000.00
(14) For the Center for Vocational and Adult Teacher Education	125,000.00
(15) The University College:	
For operation and maintenance conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor	250,000.00

REGULAR SESSION
9th Day

765

C. The University—Huntsville:

For the fiscal year ending September 30,
1974:

(1) For operation and maintenance	3,886,822.00
(2) For operation and maintenance conditional upon the condition of the Alabama Special Educational Trust Fund and with the approv- al of the Governor	250,000.00
(3) For Environmental Science Center	138,580.00
(4) For School of Medicine	877,676.00
(5) For Division of Nursing—Scholar- ships	18,000.00
(To be expended in accordance with Act No. 2290, 1971 Regular Session.)	

For the fiscal year ending September 30,
1975:

(1) For operation and maintenance	4,182,167.00
(2) For operation and maintenance conditional upon the condition of the Alabama Special Education- al Trust Fund with the approval of the Governor	250,000.00
(3) For Environmental Science Center	149,667.00
(4) For School of Medicine	1,016,256.00
(5) For Division of Nursing—Scholar- ships	18,000.00
(To be expended in accordance with Act No. 2290, 1971 Regular Session.)	

Section 29. VETERANS
EDUCATION
BENEFITS:

For reimbursement to every Alabama
State institution of higher learning, col-
lege, university, or Alabama State trade
school or junior college, in which bene-
fits are given to veterans, their wives,
widows, or children under the provision
of Act No. 767, 1965 Regular Session,
Est.

750,000.00

Section 30. JOHN M. WILL
MEMORIAL
SCHOLARSHIP
FOUNDATION

1,000.00

Section 31. MONTGOMERY
INSTITUTE FOR
NEUROLOGICAL
DEVELOPMENT

25,000.00

Section 32. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, upon the approval by the Governor, shall issue his warrant therefor; provided, that all appropriations and funds made available to the University of Montevallo, the University of Alabama, the University of South Alabama, Auburn University, the Institute for the Deaf and Blind, the Boys' Industrial School, the Alabama Industrial School at Mt. Meigs, Alabama, the State Training School for Girls, the Alabama Educational Television Commission, Teachers' Retirement System, Florence State University, Jacksonville State University, Livingston State University, Troy State University and the State Social Security Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 33. The provisions of the Act are severable. If any section, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 34. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 93; Nays 5.

Yeas:

Messrs.:	Cross	Kinsey	Reynolds
Adams	Crowe	Lang	Robertson
Adwell	Culver	Lutz	St. John
Agee	Doss	McBride	Slate
Bank	Downing	McCorquodale	Smith (K)
Barkett	Drake	McDonald	Snell
Barron	Easters	McMillan	Stokes
Bassett	Edwards	McNair	Stubbs
Benton	Ellis	Manley	Taylor
Boles	Erdreich	Mathews	Therrell
Boutwell	Fite	May	Timmons
Bowers	Flippo	Meeks	Turner
Brassell	Grainger	Merrill	Turnham
Burgess	Gray (F)	Mims	Waggoner
Callahan	Grey (D)	Naramore	Waldrop
Carnes	Hale	Nettles	Wallace
Carter	Hardin	O'Daniel	Warren
Casey	Harris	Owens	Weeks
Chesnut	Headley	Parker	Williams
Collins	Hobbie	Perloff	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham	Jones (F)	Reid (R)	Porter
Crawford	King		

REGULAR SESSION
9th Day

767

Nays:

Mr. Speaker	Dill	Gafford	Stewart	—5
Cauthen				

Messrs. Mims and Wynot offered the following amendment to the bill, H. 322 as amended:

Amend H. B. 322, Section 4, Subsection V, by adding at the end thereof the following paragraph:

“It is provided that beginning with the fiscal year 1973–74 that in addition to the salary now received and any normal increments due, professional, certified teaching, supervisory and administrative personnel covered by the State Vocational Technical School Equalization Account shall receive a salary increase equal to the percentage equivalency for the Rank III, Rank II, Rank I, and Rank AA provided for in the minimum program salary increase contained in Section 4, Paragraph N(b).”

And the amendment was adopted.

Yeas 76; Nays 18.

Yeas:

Messrs.:	Crowe	Lutz	St. John	
Adwell	Doss	McBride	Smith (K)	
Agee	Drake	McCluskey	Snell	
Barkett	Easters	McDonald	Stewart	
Bassett	Edwards	McMillan	Stokes	
Benton	Ellis	McNair	Stubbs	
Boles	Fite	May	Taylor	
Boutwell	Flippo	Meeks	Therrell	
Bowers	Gray (F)	Merrill	Timmons	
Burgess	Grey (D)	Mims	Waggoner	
Callahan	Hale	Naramore	Waldrop	
Carnes	Harris	Nettles	Wallace	
Carter	Headley	O'Daniel	Warren	
Casey	Hughes	Owens	Weeks	
Chesnut	Jackson	Parker	Williams	
Connell	Jones (F)	Perloff	Wise	
Coshatt	King	Reed (T)	Wood	
Cottingham	Kinsey	Reid (R)	Wynot	
Crawford	Lang	Robertson	Porter	
Cross				—76

Nays:

Mr. Speaker	Collins	McCorquodale	Reynolds	
Adams	Culver	Manley	Slate	
Barron	Downing	Mathews	Turner	
Brassell	Erdreich	Pruitt	Turnham	
Cauthen	Grainger			—18

Mr. Dill offered the following amendment to the bill, H. 322 as amended:

To amend Ways and Means Committee Substitute for H. B. 322 by deleting therefrom paragraph (3) of that portion of Subsection B of Section 28 pertaining to the fiscal year ending September 30, 1974, and inserting in lieu thereof the following:

"(3) For Diabetes Clinic:

For operation and maintenance \$200,000.00

To further amend Ways and Means Committee Substitute for H. B. 322 by deleting therefrom paragraph (3) of that portion of Subsection B of Section 28 pertaining to the fiscal year ending September 30, 1975, and inserting in lieu thereof the following:

"(3) For Diabetes Clinic:

For operation and maintenance \$200,000.00

And the amendment was adopted.

Yeas 76; Nays 9.

Yeas:

Mr. Speaker	Cottingham	Hughes	Robertson
Adams	Crawford	Jackson	St. John
Adwell	Cross	King	Slate
Barkett	Crowe	Kinsey	Smith (K)
Barron	Culver	McBride	Snell
Bassett	Dill	McCluskey	Stokes
Benton	Doss	McDonald	Stubbs
Boles	Downing	McMillan	Therrell
Boutwell	Drake	McNair	Timmons
Bowers	Edwards	May	Turnham
Brassell	Ellis	Meeks	Waggoner
Callahan	Erdreich	Merrill	Waldrop
Carnes	Fite	Mims	Wallace
Carter	Flippo	Naramore	Warren
Casey	Gafford	Nettles	Weeks
Cauthen	Gray (F)	O'Daniel	Williams
Chesnut	Grey (D)	Perloff	Wise
Connell	Harris	Reed (T)	Wynot
Coshatt	Headley	Reid (R)	Porter

—76

Nays:

Messrs.:	Easters	Lutz	Turner
Agee	Hale	Stewart	Wood
Collins	Lang		

—9

Messrs. Waldrop, Boles, Wynot, Carnes and Mims offered the following amendment to the bill, H. 322 as amended:

Amend H. B. 322, Section 4, Subsection J by adding at the end thereof the following paragraph:

"It is provided that beginning with the fiscal year 1973-74 that in addition to the salary now received and any normal increments due, each full-time instructor, counselor, librarian, and administrative personnel covered by the Junior College Equalization Account shall receive salary increases not less than the following: Bachelor's degree employees not less than one thousand dollars (\$1,000.00); Master's degree employees not less than one thousand one hundred sixty dollars (\$1,160.00); Master's degree plus 30 semester hours (Educational Specialist equivalent) employees not less than one thousand three hundred forty-five dollars (\$1,345.00); passed comprehensive ex-

aminations for Doctor's degree or Master's Degree plus 60 semester hours employees not less than one thousand five hundred sixty dollars (\$1,560.00); Doctor's degree employees not less than one thousand eight hundred ten dollars (\$1,810.00). This amount, for each of the above personnel, shall be applicable to the first nine (9) months of the school year beginning in September."

It is also provided that beginning with the fiscal year 1973-74 that in addition to the salary now received each nonprofessional full-time personnel covered by the Junior College Equalization Account shall receive a salary increase of not less than 10 percent.

And the amendment was adopted.

Yeas 60; Nays 23.

Yeas:

Messrs.:	Drake	Lutz	Robertson
Adwell	Easters	McBride	St. John
Barkett	Ellis	McDonald	Smith (K)
Benton	Fite	McMillan	Stewart
Boles	Flippo	McNair	Stokes
Boutwell	Gafford	Manley	Stubbs
Bowers	Gray (F)	May	Taylor
Burgess	Hale	Meeks	Therrell
Carnes	Headley	Merrill	Timmons
Chesnut	Hobbie	Mims	Waldrop
Connell	Hughes	Naramore	Wallace
Coshatt	Jackson	Nettles	Warren
Cottingham	King	Owens	Wise
Crawford	Kinsey	Parker	Wynot
Cross	Lang	Perloff	Porter
Crowe			

—60

Nays:

Mr. Speaker	Carter	Erdreich	Slate
Adams	Cauthen	Grainger	Snell
Agee	Collins	Hardin	Turner
Barron	Culver	Harris	Turnham
Bassett	Dill	Mathews	Wood
Brassell	Downing	O'Daniel	

—23

AMENDMENT LOST

Mr. Stokes offered the following amendment to the bill, H. 322 as amended:

In Section 23. BOARD OF TRUSTEES OF THE UNIVERSITY OF SOUTH ALABAMA:, at the end of and as a part of subsection (a) insert the following paragraph:

It is provided that in each of the two fiscal years so much of the appropriation herein made as is needed therefore shall be used to provide salary increases in addition to the salary now received and any normal increments, for professional teachers, supervisory and administrative personnel employed full time by the University as follows: Employees holding a Bachelor's degree not less than \$1,000.00 per annum; Employees holding a Master's degree plus 30

hours (Educational Specialist equivalent) not less than \$1,345.00 per annum; Employees who have passed comprehensive examinations for Doctor's degree not less than \$1,560.00 per annum; and employees holding a Doctor's degree not less than \$1,810.00 per annum.

And the amendment was lost.

Yeas 36; Nays 41.

Yeas:

Messrs.:	Erdreich	Nettles	Taylor
Adwell	Fite	O'Daniel	Therrell
Agee	Flippo	Perloff	Waldrop
Boles	Gray (F)	Reed (T)	Wallace
Brassell	Hale	Robertson	Warren
Callahan	Hughes	Slate	Wise
Carnes	Kinsey	Smith (K)	Wood
Chesnut	Mims	Stewart	Wynot
Coshatt	Naramore	Stokes	Porter
Crowe			

—36

Nays:

Mr. Speaker	Culver	Hobbie	Merrill
Adams	Dill	Lang	Owens
Barron	Downing	McBride	Parker
Bowers	Drake	McCluskey	Pruitt
Burgess	Gafford	McCorquodale	Reid (R)
Casey	Grainger	McDonald	St. John
Cauthen	Grey (D)	Manley	Snell
Collins	Hardin	Mathews	Timmons
Connell	Harris	May	Turner
Cottingham	Headley	Meeks	Turnham
Crawford			

—41

Messrs. Carnes and Chesnut offered the following amendment to the bill, H. 322 as amended:

Amend Ways and Means Substitute for H. B. 322, Section 4, Subsection N, following paragraph (c) so as to add the following new paragraph:

(d) In addition to the appropriations hereinabove made to the Minimum Program Fund, there is hereby appropriated \$3,700,000.00 for each of the fiscal years ending September 30, 1974, and September 30, 1975, conditional upon the approval of the Governor and the condition of the Alabama Special Educational Trust Fund, to be paid to local boards of education to be transmitted to the schools within each system on the basis of one hundred dollars (\$100.00) per teacher (excluding teacher units allocated for exceptional children). The above funds shall be used for the purchase of instructional materials, supplies and equipment.

And the amendment was adopted.

Yeas 53; Nays 23.

Yeas:

Messrs.:	Benton	Brassell	Carter
Adwell	Boutwell	Callahan	Chesnut
Agee	Bowers	Carnes	Coshatt

REGULAR SESSION
9th Day

771

Cottingham	Harris	Naramore	Stubbs
Cross	Headley	Owens	Taylor
Crowe	Hughes	Perloff	Therrell
Doss	Jackson	Reed (T)	Timmons
Edwards	Kinsey	Reid (R)	Waldrop
Ellis	McBride	Robertson	Wallace
Erdreich	McMillan	Slate	Warren
Fite	McNair	Smith (K)	Wood
Gray (F)	May	Stewart	Wynot
Grey (D)	Meeks	Stokes	Porter
Hale	Mims		

—53

Nays:

Messrs.:	Crawford	McCluskey	Pruitt
Adams	Dill	McDonald	St. John
Barkett	Drake	Manley	Snell
Barron	Easters	Merrill	Turner
Cauthen	Gafford	Nettles	Turnham
Connell	Lang	Parker	Williams

—23

Mr. Taylor offered the following amendment to the bill, H. 322 as amended:

In Section 4, k, J. F. Ingram Vocational Technical School, page 6 of the bill, strike the following words and figures:

For the operation and maintenance of a Vocational Technical School \$200,000.00

and insert in lieu thereof, the following words and figures:

For the operation and maintenance of a Vocational Technical School \$400,000.00

And the amendment was adopted.

Yeas 55; Nays 19.

Yeas:

Messrs.:	Cottingham	King	Slate
Adwell	Cross	Kinsey	Stewart
Agee	Culver	Lutz	Stokes
Benton	Doss	McMillan	Stubbs
Boutwell	Downing	McNair	Taylor
Brassell	Ellis	May	Therrell
Burgess	Erdreich	Mims	Waldrop
Carnes	Flippo	O'Daniel	Wallace
Carter	Gray (F)	Owens	Warren
Casey	Grey (D)	Perloff	Weeks
Cauthen	Harris	Reed (T)	Wise
Chesnut	Headley	Reid (R)	Wood
Connell	Hobbie	Robertson	Wynot
Coshatt	Jackson	St. John	Porter

—55

Nays:

Messrs.:	Easters	McCluskey	Naramore
Barkett	Gafford	McDonald	Pruitt
Barron	Grainger	Manley	Snell
Crawford	Hughes	Meeks	Turner
Dill	Lang	Merrill	Turnham

—19

Mr. McBride offered the following amendment #1 to the bill, H. 322 as amended:

Amend H.B. 322, Section 4, Subsection J (a) by adding at the end thereof the following paragraph:

"Each professional certified teaching, supervisory, and administrative employee shall receive one hundred twenty-four dollars (\$124) per annum for hospital-medical insurance. These funds shall be made available by allotment from the Junior College Equalization Account by the State Board of Education to the institutions with a majority of the professional employees selecting the plan(s) and the carrier(s) of the hospital-medical insurance for that institution."

And the amendment was adopted.

Yeas 55; Nays 26.

Yeas:

Messrs.:	Drake	McCluskey	Slate
Adwell	Ellis	McDonald	Smith (K)
Agee	Erdreich	McMillan	Stokes
Barkett	Fite	McNair	Stubbs
Benton	Flippo	Merrill	Taylor
Boles	Gray (F)	Mims	Therrell
Boutwell	Grey (D)	Naramore	Timmons
Brassell	Hale	O'Daniel	Waldrop
Burgess	Hughes	Perloff	Wallace
Carnes	Jones (F)	Reed (T)	Warren
Chesnut	King	Reid (R)	Weeks
Coshatt	Lang	Reynolds	Wise
Cottingham	Lutz	Robertson	Wynot
Doss	McBride	St. John	Porter

—55

Nays:

Mr. Speaker	Crowe	Harris	Parker
Adams	Dill	Hobbie	Pruitt
Barron	Downing	Kinsey	Snell
Cauthen	Easters	McCorquodale	Turner
Collins	Gafford	Manley	Turnham
Connell	Grainger	May	Williams
Crawford	Hardin		

—26

Mr. McBride offered the following amendment # 2 to the bill, H. 322 as amended:

Amend H.B. 322, Section 4, Subsection V (a) by adding at the end thereof the following paragraph:

"Each professional, certified teaching, supervisory, and administrative employee shall receive one hundred twenty-four dollars (\$124) per annum for hospital-medical insurance. These funds shall be made available by allotment from the Vocational Technical School Equalization Account by the State Board of Education to the institutions with a majority of the professional employees selecting the plan(s) and the carrier(s) of the hospital-medical insurance for that institution."

And the amendment was adopted.

REGULAR SESSION
9th Day

773

Yeas 58; Nays 22.

Yeas:

Messrs.:	Doss	Lang	St. John
Adwell	Drake	Lutz	Slate
Agee	Edwards	McBride	Smith (K)
Barkett	Ellis	McCluskey	Stokes
Benton	Erdreich	McMillan	Stubbs
Boles	Fite	McNair	Taylor
Boutwell	Flippo	Manley	Timmons
Brassell	Gray (F)	Merrill	Waldrop
Burgess	Grey (D)	Mims	Wallace
Carnes	Hale	Naramore	Warren
Carter	Headley	O'Daniel	Weeks
Casey	Hughes	Reed (T)	Wise
Chesnut	Jackson	Reid (R)	Wynot
Coshatt	Jones (F)	Reynolds	Porter
Cottingham	King	Robertson	

—58

Nays:

Mr. Speaker	Culver	Hardin	Parker
Adams	Dill	Harris	Pruitt
Barron	Downing	Hobbie	Turner
Bassett	Easters	Kinsey	Turnham
Connell	Gafford	May	Williams
Crawford	Grainger		

—22

Mr. McBride offered the following amendment #3 to the bill, H. 322 as amended:

Amend substitute for House Bill 322, Section N (C) on page 8 in line two of first paragraph following comma insert the words "and all other normal increments due."

And the amendment was adopted.

Yeas 48; Nays 30.

Yeas:

Messrs.:	Coshatt	Jones (F)	Reid (R)
Adams	Cottingham	King	Smith (K)
Adwell	Doss	Kinsey	Stubbs
Agee	Edwards	Lutz	Taylor
Barron	Ellis	McBride	Timmons
Bassett	Erdreich	McMillan	Waggoner
Boles	Fite	McNair	Waldrop
Boutwell	Grainger	Merrill	Wallace
Brassell	Gray (F)	Mims	Warren
Burgess	Grey (D)	Naramore	Weeks
Carnes	Hale	Owens	Wynot
Casey	Hughes	Reed (T)	Porter
Chesnut			

—48

Nays:

Mr. Speaker	Cauthen	Culver	Gafford
Barkett	Connell	Drake	Hardin
Benton	Crawford	Easters	Harris
Carter	Cross	Flippo	Lang

McCluskey	O'Daniel	St. John	Turner
McDonald	Parker	Slate	Turnham
Manley	Pruitt	Stewart	Williams
Meeks	Reynolds		

—30

AMENDMENT LOST

Mr. McBride offered the following amendment #4 to the bill, H. 322 as amended:

Amend the Committee Substitute for H.B. 322 on page 2, Section 3, subsection B by adding the following to subsection B:

- (1) Department of Education—In-service Training\$3,000,000.00
For the fiscal year ending September 30, 1975, conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor.

And the amendment was lost.

Yeas 23; Nays 45.

Yeas:

Messrs.:	Chesnut	Hughes	Slate
Adwell	Cross	King	Stokes
Barron	Crowe	McBride	Taylor
Boles	Ellis	Mims	Therrell
Carnes	Erdreich	Naramore	Waldrop
Carter	Hale	Reed (T)	Porter

—23

Nays:

Mr. Speaker	Coshatt	Lang	Pruitt
Adams	Cottingham	Lutz	Reynolds
Barkett	Crawford	McCluskey	Robertson
Bassett	Culver	McDonald	St. John
Benton	Downing	May	Smith (K)
Boutwell	Easters	Meeks	Snell
Brassell	Flippo	Merrill	Stewart
Burgess	Gafford	Nettles	Stubbs
Casey	Gray (F)	O'Daniel	Turner
Cauthen	Hardin	Owens	Turnham
Collins	Kinsey	Parker	Wise
Connell			

—45

Mr. Waggoner offered the following amendment #1 to the bill, H. 322 as amended:

In Section 4, Paragraph V add the following:

of the above appropriations contained herein in Section 4, Paragraph V not more than the sum of \$150,000.00 for the fiscal year ending September 30, 1974, and not more than the sum of \$175,000.00 for the fiscal year ending September 30, 1975, may be used by the State Board of Education for administration of the state vocational technical school program.

And the amendment was adopted.

REGULAR SESSION
9th Day

775

Yeas 80; Nays 3.

Yeas:

Messrs.:	Cross	Lang	Slate
Adams	Crowe	Lutz	Smith (K)
Adwell	Doss	McCluskey	Snell
Agee	Downing	McDonald	Stewart
Barkett	Drake	McMillan	Stokes
Boles	Easters	McNair	Stubbs
Boutwell	Ellis	Manley	Taylor
Bowers	Erdreich	May	Therrell
Brassell	Fite	Meeks	Timmons
Burgess	Flippo	Merrill	Turner
Callahan	Gafford	Mims	Turnham
Carnes	Grainger	Naramore	Waggoner
Carter	Grey (D)	Nettles	Waldrop
Casey	Hardin	O'Daniel	Wallace
Cauthen	Harris	Owens	Warren
Chesnut	Headley	Parker	Weeks
Collins	Hobbie	Pruitt	Williams
Connell	Hughes	Reynolds	Wise
Coshatt	Jackson	Robertson	Wynot
Cottingham	King	St. John	Porter
Crawford			—80

Nays: Mr. Speaker, Barron and Culver.

—3

Mr. Waggoner offered the following amendment #2 to the bill, H. 322 as amended:

Amend Ways and Means Committee Substitute for H.B. 322, Section 6, page 14, to read as follows:

"Section 6. Board of Trustees of Alabama Boys' Industrial School:

For the operation and maintenance of the Alabama Boys' Industrial School \$880,000.00"

And the amendment was adopted.

Yeas 79; Nays 3.

Yeas:

Messrs.:	Connell	Grainger	McDonald
Adams	Coshatt	Gray (F)	McMillan
Adwell	Cottingham	Grey (D)	McNair
Agee	Crawford	Hale	Manley
Bassett	Cross	Hardin	Meeks
Boles	Crowe	Harris	Mims
Boutwell	Doss	Headley	Naramore
Bowers	Downing	Hughes	Nettles
Brassell	Drake	Jackson	O'Daniel
Burgess	Easters	King	Owens
Callahan	Edwards	Kinsey	Pruitt
Carnes	Ellis	Lang	Reed (T)
Carter	Erdreich	Lutz	Reynolds
Casey	Fite	McBride	Robertson
Cauthen	Flippo	McCluskey	St. John
Collins	Gafford	McCorquodale	Smith (K)

9th Day

Snell	Taylor	Waggoner	Weeks
Stewart	Therrell	Waldrop	Wise
Stokes	Timmons	Wallace	Wynot
Stubbs	Turnham	Warren	Porter

—79

Nays: Messrs. Barron, Parker and Turner.

—3

Mr. Easters offered the following amendment to the bill, H. 322 as amended:

Amend Section 4, I, of Ways and Means Committee substitute for H. B. 322 by deleting the amount 225,000.00 and substituting the amount of 353,000.00.

And the amendment was adopted.

Yeas 70; Nays 14.

Yeas:

Mr. Speaker	Cross	Jackson	Reed (T)
Adwell	Crowe	Jones (F)	St. John
Agee	Doss	King	Smith (K)
Barkett	Downing	Kinsey	Stokes
Bassett	Drake	McCluskey	Taylor
Boles	Easters	McCorquodale	Therrell
Boutwell	Edwards	McDonald	Timmons
Bowers	Ellis	McMillan	Turner
Brassell	Erdreich	McNair	Waggoner
Burgess	Fite	Manley	Waldrop
Callahan	Gafford	Meeks	Wallace
Carnes	Grainger	Merrill	Warren
Carter	Gray (F)	Mims	Weeks
Casey	Grey (D)	Naramore	Williams
Chesnut	Hale	Nettles	Wise
Connell	Hardin	O'Daniel	Wynot
Coshatt	Harris	Pruitt	Porter
Cottingham	Hughes		

—70

Nays:

Messrs.:	Flippo	McBride	Snell
Barron	Headley	Owens	Stubbs
Cauthen	Hobbie	Reynolds	Turnham
Collins	Lutz	Slate	

—14

Mr. Flippo offered the following amendment to the bill, H. 322 as amended:

Amend H. B. No. 322, Section 13 by adding section (b) to read as follows:

“(b) for operation and maintenance conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor.

(1) For the fiscal year ending September 30, 1974\$500,000.00

(2) For the fiscal year ending September 30, 1975\$500,000.00”

And the amendment was adopted.

REGULAR SESSION
9th Day

777

Yeas 36; Nays 31.

Yeas:

Messrs.:	Crowe	Jackson	Smith (K)
Adwell	Doss	King	Stewart
Benton	Ellis	McBride	Stokes
Boutwell	Flippo	May	Taylor
Callahan	Grainger	Owens	Therrell
Carnes	Gray (F)	Reed (T)	Timmons
Carter	Grey (D)	Reid (R)	Waldrop
Cauthen	Hale	Reynolds	Williams
Chesnut	Headley	Slate	Wynot
Cross			

—36

Nays:

Messrs.:	Casey	Fite	McCluskey
Adams	Collins	Gafford	McDonald
Agee	Connell	Hardin	Merrill
Barkett	Cottingham	Harris	Nettles
Barron	Crawford	Hobbie	St. John
Bassett	Dill	Hughes	Snell
Brassell	Downing	Jones (F)	Stubbs
Burgess	Drake	Lutz	Turnham

—31

Mr. McBride offered the following amendment #5 to the bill, H. 322 as amended:

Amend Section 4, Paragraph U (b), Page 10 of Substitute for H. B. 322 to read as follows:

“The vocational teacher units distributed from the appropriation hereinabove for the Biennium shall be disbursed or obligated during the specified fiscal year in accordance with a formula adopted by the State Board of Education. The total number of vocational teacher units allocated to each County and City Board of Education from the hereinabove appropriations when combined with Federal Vocational Funds shall be at least equal to the number received by the respective board during the preceding fiscal year; and in addition thereto, a sum equal to the percentage equivalency provided for in the minimum program salary increase contained in Section 4, Paragraph N (b) shall be allocated to the respective Boards of Education for each vocational teacher unit. In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his pro-rata share of vocational teacher units under the adopted State Board of Education formula.

Any vocational teacher units supported through the appropriation hereinabove in excess of the preceding fiscal year's distribution shall be allocated by priorities to those boards that have less than their entitlement.

And the amendment was adopted.

Yeas 78; Nays 3.

Yeas:

Messrs.:	Barron	Boutwell	Burgess
Adwell	Bassett	Bowers	Carnes
Barkett	Boles	Brassell	Carter

9th Day

Casey	Grainger	McNair	Smith (K)
Cauthen	Gray (F)	Manley	Snell
Chesnut	Grey (D)	May	Stewart
Collins	Hale	Meeks	Stokes
Connell	Hardin	Merrill	Stubbs
Crawford	Harris	Mims	Therrell
Cross	Headley	Naramore	Timmons
Crowe	Hughes	Nettles	Turnham
Downing	Jackson	O'Daniel	Waggoner
Drake	King	Owens	Waldrop
Easters	Lang	Parker	Warren
Edwards	Lutz	Perloff	Weeks
Ellis	McBride	Pruitt	Williams
Erdreich	McCluskey	Reed (T)	Wise
Fite	McCorquodale	Reynolds	Wynot
Flippo	McDonald	St. John	Porter
Gafford	McMillan	Slate	

—78

Nays: Messrs. Dill, Doss and Jones (F).

—3

Mr. Callahan offered the following amendment to the bill, H. 322 as amended:

Amend the substitute for H. B. 322 by adding at the end of Section 23 the following:

(h) For additional salaries for teaching faculty

For fiscal year ending September 30, 1974\$100,000.00

For fiscal year ending September 30, 1975\$100,000.00

AMENDMENT TABLED

On motion of Mr. Lyons the amendment offered by Mr. Callahan was tabled.

Yeas 43; Nays 21.

Yeas:

Mr. Speaker	Collins	Gray (F)	McNair
Adams	Connell	Hale	Merrill
Barkett	Cottingham	Hardin	Reynolds
Barron	Crawford	Jackson	St. John
Bassett	Cross	King	Snell
Boutwell	Dill	Lang	Stewart
Bowers	Drake	Lutz	Turner
Brassell	Edwards	McBride	Turnham
Burgess	Erdreich	McCluskey	Weeks
Casey	Fite	McDonald	Williams
Cauthen	Grainger	McMillan	

—43

Nays:

Messrs.:	Gafford	Nettles	Stubbs
Adwell	Harris	Owens	Taylor
Agee	Headley	Perloff	Therrell
Boles	Hughes	Slate	Waldrop
Carnes	Jones (F)	Stokes	Wood
Chesnut	Naramore		

—21

REGULAR SESSION
9th Day

779

Mr. McCorquodale offered the following amendment to the bill, H. 322 as amended:

Amend H. B. 322, on Page 7, Section 4 N. (a) by deleting the figure \$302,919,589 and insert in lieu thereof the figure \$310,919,586.

Also delete the figure \$301,919,589 and insert in lieu thereof \$309,919,589.

Amend further H. B. 322, Section 4, Subsection N (a) by adding at the end thereof the following paragraph:

"Each professional, certified teaching, supervisory, and administrative employee shall receive one hundred twenty-four dollars (\$124) per annum for hospital-medical insurance. These funds shall be made available by allotment from the Minimum Program Fund."

And the amendment was adopted.

Yeas 77; Nays 9.

Yeas:

Messrs.:	Crowe	Lang	Reid (R)
Adams	Doss	Lutz	Reynolds
Adwell	Drake	McBride	Robertson
Agee	Edwards	McCluskey	St. John
Barkett	Ellis	McCorquodale	Slate
Barron	Erdreich	McDonald	Smith (K)
Bassett	Fite	McMillan	Stewart
Benton	Flippo	McNair	Stokes
Boles	Grainger	Manley	Stubbs
Boutwell	Gray (F)	Mathews	Taylor
Brassell	Grey (D)	May	Therrell
Burgess	Hale	Merrill	Turner
Carnes	Hardin	Mims	Turnham
Carter	Harris	Naramore	Waldrop
Casey	Headley	Nettles	Wallace
Cauthen	Hughes	O'Daniel	Warren
Connell	Jackson	Owens	Wise
Coshatt	Jones (F)	Perloff	Wood
Cottingham	King	Reed (T)	Porter
Cross	Kinsey		

—77

Nays:

Mr. Speaker	Crawford	Downing	Gafford
Callahan	Dill	Easters	Snell
Collins			

—9

Mr. Grainger offered the following amendment to the bill, H. 322 as amended:

Amend Ways and Means Substitute for H. B. 322, Section 4, Subsection N following paragraph (c) so as to add new paragraph (d) as follows:

(d) In addition to the appropriations hereinabove made to the Minimum Program there is hereby appropriated funds for three (3) days personal leave for each teacher earned under the Minimum Program formula to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave.

9th Day

For the fiscal year ending September 30, 1974 \$1,022,214.00

For the fiscal year ending September 30, 1975 \$1,022,214.00

And the amendment was adopted.

Yeas 50; Nays 36.

Yeas:

Messrs.:	Cross	Jones (F)	Reynolds
Adwell	Crowe	King	Robertson
Agee	Doss	Kinsey	Slate
Barron	Edwards	Lutz	Stokes
Bassett	Ellis	McCorquodale	Stubbs
Benton	Erdreich	McDonald	Therrell
Boles	Flippo	McMillan	Waldrop
Brassell	Grainger	McNair	Wallace
Carnes	Gray (F)	May	Warren
Carter	Grey (D)	Mims	Wise
Chesnut	Hale	Naramore	Wynot
Coshatt	Headley	Reed (T)	Porter
Cottingham	Jackson	Reid (R)	

—50

Nays:

Mr. Speaker	Downing	Lang	Pruitt
Barkett	Drake	McBride	St. John
Boutwell	Easters	McCluskey	Smith (K)
Casey	Fite	Manley	Snell
Cauthen	Gafford	Meeks	Taylor
Collins	Hardin	Nettles	Turner
Connell	Harris	Owens	Turnham
Crawford	Hobbie	Parker	Williams
Dill	Hughes	Perloff	Wood

—36

Messrs. Merrill, Stewart and Burgess offered the following amendment to the bill, H. 322 as amended:

Amend H. B. No. 322, Section 16 by adding section (b) to read as follows:

“(b) for operation and maintenance conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor.

(1) For the fiscal year ending September 30, 1974 . . . \$500,000.00

(2) For the fiscal year ending September 30, 1975 . . . \$500,000.00”

AMENDMENT LOST

And the amendment was lost.

Yeas 18; Nays 51.

Yeas:

Messrs.:	Chesnut	Merrill	Waggoner
Adwell	Coshatt	Parker	Waldrop
Boles	Crowe	Reed (T)	Wallace
Burgess	Flippo	Stewart	Weeks
Carnes	Gray (F)	Stokes	

—18

REGULAR SESSION
9th Day

781

Nays:

Mr. Speaker	Dill	King	Snell
Adams	Drake	Lang	Stubbs
Barkett	Easters	Lutz	Taylor
Barron	Ellis	McBride	Therrell
Bassett	Fite	McCluskey	Turner
Benton	Gafford	McDonald	Turnham
Boutwell	Grainger	McMillan	Warren
Casey	Grey (D)	Naramore	Williams
Cauthen	Harris	Nettles	Wise
Collins	Headley	Owens	Wood
Connell	Hughes	Perloff	Wynot
Cottingham	Jackson	St. John	Porter
Crawford	Jones (F)	Smith (K)	

—51

MOTION TO POSTPONE H. 322 TABLED

On motion of Mr. Mathews, the motion of Mr. Cauthen to postpone the bill, H. 322 as amended, to the fourteenth legislative day, was tabled.

MOTION TO RECOMMIT H. 322 TABLED

On motion of Mr. Lyons, the motion of Mr. Cauthen to recommit the bill, H. 322 as amended, to the Standing Committee on Ways and Means, was tabled.

Yeas 54; Nays 38.

Yeas:

Mr. Speaker	Cottingham	May	Stokes
Adams	Cross	Merrill	Taylor
Barkett	Crowe	Mims	Therrell
Barron	Downing	Naramore	Turner
Bassett	Drake	Owens	Turnham
Boutwell	Fite	Parker	Waldrop
Bowers	Grey (D)	Perloff	Warren
Brassell	Hale	Reed (T)	Weeks
Burgess	Hardin	Reynolds	Williams
Callahan	Jackson	Robertson	Wise
Carnes	Jones (F)	Smith (K)	Wood
Casey	Kinsey	Snell	Wynot
Chesnut	McCluskey	Stewart	Porter
Collins	Mathews		

—54

Nays:

Messrs.:	Dill	Harris	McNair
Adwell	Doss	Headley	Manley
Agee	Easters	Hobbie	Meeks
Benton	Edwards	Hughes	Nettles
Boles	Ellis	King	St. John
Carter	Erdreich	Lang	Slate
Cauthen	Flippo	Lutz	Stubbs
Connell	Gafford	McBride	Waggoner
Coshatt	Grainger	McDonald	Wallace
Crawford	Gray (F)	McMillan	

—38

Mr. Lyons offered the following substitute to the bill, H. 322 as substituted and amended:

A BILL
TO BE ENTITLED
AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1974, and September 30, 1975.

Be It Enacted by the Legislature of Alabama:

Section 1. That for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions, including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rental and items of general expense not defined as "equipment purchases" and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment, motor vehicle equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (c) and (d) hereof. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Section 2. The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and are hereby made for the support of public education in Alabama for each of the two fiscal years ending September 30, 1974, and September 30, 1975, respectively; and, except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55 of the Code of Alabama 1940) and shall be in the amounts specified in said sections.

Section 3. DEPARTMENT OF EDUCATION:

A. For the Department of Education:

For the fiscal year ending September 30, 1974:

For the salary of the State Superintendent

23,500.00

REGULAR SESSION
9th Day

783

For other salaries	931,263.00
For other expenses	149,200.00
For rental expense	98,058.00
For equipment purchases	33,622.00
For transfer to State Personnel Department	22,300.00

Total	1,257,943.00
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For the fiscal year ending Sep-
tember 30, 1975:

For the salary of the State Super- intendent	23,500.00
For other salaries	1,015,769.00
For other expenses	162,080.00
For rental expense	475,000.00
For equipment purchases	39,670.00
For transfer to State Personnel Department	22,300.00

Total	1,738,319.00
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B. Department of Education In- Service Training	1,000,000.00
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C. For Adult Basic Education:
To be used to match Federal
funds for a removal of illiter-
acy program:

For the fiscal year ending Sep- tember 30, 1974	150,000.00
For the fiscal year ending Sep- tember 30, 1975	160,000.00

D. Civil Defense Survival Plan:

For salaries and other expenses
only, in the operation of the
Civil Defense Survival Plan:

For the fiscal year ending Sep- tember 30, 1974	13,797.00
For the fiscal year ending Sep- tember 30, 1975	14,487.00

E. Coordination of In-School Tele-
vision Program:

For the fiscal year ending Sep-
tember 30, 1974:

For salaries	61,212.00
For other expenses	13,500.00
For equipment purchases	2,500.00

Total	77,212.00
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JOURNAL OF THE HOUSE, 1973
9th Day

For the fiscal year ending Sep- tember 30, 1975:		
For salaries	64,280.00	
For other expenses	13,500.00	
For equipment purchases	2,500.00	
Total		80,280.00
F. For Driver Education and Trans- portation:		
For the fiscal year ending Sep- tember 30, 1974:		
For salaries	162,610.00	
For other expenses	58,806.00	
For equipment purchases	600.00	
Total		222,016.00
For the fiscal year ending Sep- tember 30, 1975:		
For salaries	178,871.00	
For other expenses	64,687.00	
For equipment purchases	660.00	
Total		244,218.00
G. Drug Education Program:		
For the necessary education on drug abuse:		
For salaries and expenses	98,500.00	
For equipment purchases	1,500.00	
Total		100,000.00
H. For matching federal funds avail- able under the provisions of the Manpower Development Training Act:		
For the fiscal year ending Sep- tember 30, 1974		100,000.00
For the fiscal year ending Sep- tember 30, 1975		150,000.00
I. National Defense Education Pro- gram:		
For the fiscal year ending Sep- tember 30, 1974		194,262.00
For the fiscal year ending Sep- tember 30, 1975		213,689.00
J. To the Department of Education for Plans and Surveys:		
For the fiscal year ending Sep- tember 30, 1974:		

REGULAR SESSION
9th Day

785

For salaries	49,680.00	
For other expenses	5,280.00	
Total		54,960.00

For the fiscal year ending September 30, 1975:

For salaries	54,648.00	
For other expenses	5,808.00	
For equipment purchases	600.00	
Total		61,056.00

K. For Regional Technical Institute 300,000.00

Section 4. STATE BOARD OF EDUCATION:

A. Agricultural and Mechanical University:

For the operation and maintenance of the University:

For the fiscal year ending September 30, 1974 3,825,731.00

For the fiscal year ending September 30, 1975 3,919,021.00

B. For Atmore Trade School:

For operation and maintenance:

For the fiscal year ending September 30, 1974 123,468.00

For the fiscal year ending September 30, 1975 200,000.00

C. Alabama State University:

For the operation and maintenance of the University at Montgomery:

For the fiscal year ending September 30, 1974 3,804,796.00

For the fiscal year ending September 30, 1975 3,975,744.00

D. Civilian Rehabilitation:

For the fiscal year ending September 30, 1974:

For the rehabilitation of handicapped individuals 3,317,702.00

For the Governor's Committee on Employment of Handicapped 20,000.00

Total 3,337,702.00

JOURNAL OF THE HOUSE, 1973
9th Day

For the fiscal year ending Sep- tember 30, 1975:		
For the rehabilitation of handi- capped individuals	3,517,702.00	
For the Governor's Committee on Employment of Handicap- ped	20,000.00	
Total		3,537,702.00
E. For Compact for Education		10,500.00
(To be expended in accordance with Act No. 1143, 1969 Regu- lar Session.)		
F. For Driver Education:		
For the fiscal year ending Sep- tember 30, 1974		2,919,966.00
For the fiscal year ending Sep- tember 30, 1975		3,851,122.00
G. Elementary Teachers Scholarship Fund		25,000.00
H. Free Textbooks:		
For the fiscal year ending Sep- tember 30, 1974:		
For salaries	48,000.00	
For other expenses	36,657.00	
For disbursements to Local Boards	57,750.00	
For equipment purchases	1,200.00	
For the repair of used and the purchase of new textbooks	4,705,393.00	
For Operation of Course Study Commission	5,000.00	
Total		4,854,000.00
For the fiscal year ending Sep- tember 30, 1975:		
For salaries	52,800.00	
For other expenses	37,775.00	
For disbursements to Local Boards	60,637.00	
For equipment purchases	1,000.00	
For the repair of used and the purchase of new textbooks	4,842,788.00	
For Operation of Course Study Commission	5,000.00	
Total		5,000,000.00
I. Alabama High School of Fine Arts:		

REGULAR SESSION
9th Day

787

For operation and maintenance:

For the fiscal year ending September 30, 1974	120,000.00
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For the fiscal year ending September 30, 1975	126,000.00
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The above appropriation is to carry out the provisions of HJR 145 of the 1971 Regular Session.

J. Junior College Equalization Account:

For operation and maintenance of the Junior Colleges listed below, to be distributed on a formula adopted by the State Board of Education:

For the fiscal year ending September 30, 1974	16,352,481.00
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For the fiscal year ending September 30, 1975	17,969,252.00
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(The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City; (2) Albert P. Brewer; (3) John C. Calhoun; (4) Enterprise State; (5) James H. Faulkner; (6) Gadsden (7) Jefferson Davis; (8) Jefferson State; (9) Theodore Alfred Lawson; (10) Mobile State; (11) Northeast; (12) Northwest; (13) Patrick Henry; (14) Snead State; (15) Southern Union; (16) George C. Wallace (Napier Field); (17) George C. Wallace (Selma); (18) Lurleen B. Wallace State.)

K. J. F. Ingram Vocational Technical School:

For the operation and maintenance of a Vocational Technical School	200,000.00
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L. State Mental Health Department:

For salaries, other expenses and equipment purchases necessary to operate schools at Alabama State Hospitals:

For the fiscal year ending September 30, 1974	40,125.00
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For the fiscal year ending September 30, 1975	50,125.00
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M. State Mental Health Department:

For salaries, other expenses and
equipment purchases necessary
to operate a school at Partlow
State School:

For the fiscal year ending Sep- tember 30, 1974	281,022.00
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For the fiscal year ending Sep- tember 30, 1975	316,000.00
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N. Minimum Program Fund:

(a) In addition to all other funds appropriated for the public elementary and high schools of the State, there is hereby appropriated to the State Board of Education for the fiscal year ending September 30, 1974, the sum of \$302,919,589.00 and for the fiscal year ending September 30, 1975, the sum of \$301,919,589.00 to be known as the Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State; provided, that so much thereof as may be necessary of the above appropriations for each year shall be used by the State Board of Education to provide for additional teacher units for each school system in the State which on the basis of current school attendance shall be entitled to additional teacher units over the number allowed based on the year immediately preceding said current year; provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgment of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all moneys earmarked for public school teachers' salaries as provided in the Income Tax Amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds, either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund. Provided, that all funds herein appropriated for transportation of students including, but not limited to, those amounts recommended for transportation in the Governor's budget recommendations for the minimum program fund are conditional upon the approval of the Governor who may authorize the release of all such funds or such amounts as he deems necessary.

(b) In addition to the appropriations hereinabove made to the Minimum Program Fund, there is hereby appropriated five million dollars (\$5,000,000.00) for the fiscal year ending September 30, 1975, conditional upon the condition of the Alabama Special Educational Trust Fund and the approval of the Governor.

It is provided that from the appropriations hereinabove made the State Board of Education shall allocate and pay from said appropriations not less than five hundred (500) additional teacher units for the program for excep-

tional children. An additional five hundred (500) teacher units are to be allocated for the fiscal year ending September 30, 1975, conditional upon the payment of the conditional appropriation contained herein.

Where teacher units are allocated under the minimum program fund for exceptional children, not less than four hundred dollars (\$400.00) per teacher unit of other current expenses must be given to the ultimate receiving unit for the purpose of purchasing teacher aids and other materials necessary for the teaching of these children.

It is provided that beginning with the fiscal year 1973-74, that in addition to the salary now received, all teachers under the Minimum Program shall receive a salary increase as follows: Rank I teachers not less than one thousand one hundred sixty dollars (\$1,160.00) per annum; Rank II teachers not less than one thousand dollars (\$1,000.00) per annum; Rank III teachers not less than eight hundred eight dollars (\$808.00) per annum; Rank IV teachers not less than six hundred eighty-one dollars (\$681.00) per annum; teachers holding Rank AA Certificates shall be paid six hundred dollars (\$600.00) per annum above the total amount paid to Rank I teachers with like experience; and any county or city board of education failing to comply herewith shall not be entitled to participate in the Minimum Program Fund. Said county or city school board shall not pay the aforementioned raise to any teacher who participates in, encourages or condones any mass truancy even for a single day, or any extra-curricular demonstration which is not approved by the City, County or State Board of Education and said teacher shall forfeit the afore-mentioned increase for that particular year. The State Board of Education may review the action of any System, City or County and require the forfeiture and may withhold said amount from appropriations to the said City or County School Board and said teacher or may review and direct payment to said teacher. It is further provided, that in addition to the salary now received, all school bus drivers shall receive a salary increase of not less than five per centum (5%) per annum, and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

It is provided that in addition to all units earned by the local school system under the Minimum Program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce during the biennium the number of teachers it employed with local funds during the school year 1972-73 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios. The local school system shall furnish the State Department of Education such information as may be necessary to determine that the provisions of this section have been implemented.

On or before January 1, 1974 and January 1, 1975, each local board shall report in writing to the State Superintendent of Education, Legislative Council and the Governor on the manner on which the foregoing has been implemented.

9th Day

O. Minimum Program Account:

Trainable Retarded Children,

For the fiscal year ending September 30, 1974:

For salaries	49,200.00
For other expenses	7,330.00
For distributiton to Local Board	433,470.00
For Special Education	360,000.00

Total	850,000.00
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For the fiscal year ending September 30, 1975:

For salaries	54,120.00
For other expenses	8,063.00
For distribution to Local Boards	441,817.00
For Special Education	396,000.00

Total	900,000.00
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The appropriation hereinabove made for salaries and other expenses shall be expended by the State Board of Education for the cost incurred by the State Department of Education in the administration of this program. The appropriation hereinabove made for disbursement to local boards shall be used for the education and training of trainable retarded children and shall include the operation and maintenance of classrooms, classes, transportation of trainable retarded pupils where justified, and compensation of teachers in accordance with Act No. 67, approved June 27, 1963, in accordance with the regulations of the State Board of Education and in accordance with Act No. 249, approved August 16, 1955. The appropriation for Special Education is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.

P. Physical Restoration of Crippled Children:

Handicapped Individuals:

For the fiscal year ending September 30, 1974	2,126,029.00
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For the fiscal year ending September 30, 1975	2,441,459.00
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Q. For Regional Education	123,250.00
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R. For Training Teachers of Exceptional Children	250,000.00
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S. Vocational Education:

(a) For the fiscal year ending September 30, 1974:

For salaries	64,200.00
For other expenses	33,770.00
For rental expense	8,250.00

REGULAR SESSION

791

9th Day

For equipment purchases ..	1,650.00	
Disbursements to Local Boards and Institutions ..	17,211,991.00	
Total		17,319,861.00

For the fiscal year ending
September 30, 1975:

For salaries	70,620.00	
For other expenses	35,459.00	
For rental expense	8,663.00	
For equipment purchases	1,733.00	
Disbursement to Local Boards and Institutions ..	19,000,344.00	
Total		19,116,819.00

Vocational Education:

(b) For Industrial Development Training	1,300,000.00
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T. State Vocational Technical School Equalization Account:

For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education:

For the fiscal year ending September 30, 1974	11,710,297.00
For the fiscal year ending September 30, 1975	12,190,708.00

The above appropriation is to be distributed to the following Vocational Technical Schools:

(1) Alabama Institute of Aviation Technology; (2) Alabama School of Trades; (3) Harry M. Ayers; (4) Bessemer State; (5) John C. Calhoun; (6) Carver State; (7) J. F. Drake; (8) Gadsden; (9) Hobson; (10) Douglas MacArthur; (11) Muscle Shoals; (12) Northwest Alabama; (13) N. F. Nunnelle; (14) Opelika State; (15) John M. Patterson; (16) Ed E. Reid; (17) Shelton State; (18) Southwest State; (19) Chauncey Sparks; (20) Council Trenholm State; (21) Tuscaloosa; (22) Walker County; (23) George C. Wallace,

Cullman; (24) George C. Wallace, Dothan; (25) George C. Wallace, Selma; (26) Wenonah

Section 5. BOARD OF TRUSTEES OF AUBURN UNIVERSITY:

A. The College:

(1) For operation and maintenance:

For the fiscal year ending September 30, 1974	19,659,260.00
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For the fiscal year ending September 30, 1975	20,569,713.00
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(2) Engineering Experiment Station:

For the fiscal year ending September 30, 1974	380,463.00
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For the fiscal year ending September 30, 1975	395,774.00
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(3) Television Education:

For the fiscal year ending September 30, 1974	257,799.00
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For the fiscal year ending September 30, 1975	260,489.00
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B. Extension Work for Agriculture and Home Economics:

For advising, demonstrating and informing people of Alabama in agricultural, farm and home pursuits, and other extension services.

For the fiscal year ending September 30, 1974	3,848,209.00
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For the fiscal year ending September 30, 1975	3,950,334.00
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For Rural Resources Development Program:

For the fiscal year ending September 30, 1974	226,908.00
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For the fiscal year ending September 30, 1975	236,015.00
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The appropriation herein made for the Extension Service shall be expended under the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

C. Agriculture Research:

- (1) Alabama Agricultural Experiment Station at Auburn, for work and experimentation:

For the fiscal year ending September 30, 1974	3,647,746.00
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For the fiscal year ending September 30, 1975	3,745,799.00
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That all research work and experimentation contemplated by the spirit and purpose of this sub-section (C) shall be carried out under the supervision of the Director of the Agricultural Experiment Station System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for each of the fiscal years ending September 30, 1974 and September 30, 1975.

The funds provided in this sub-section (C) shall be used for the support of researches, experiments, and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the production, marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, care, use and management of pasture; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns and other sod crop purposes; for the testing of varieties of crops, including soil adaption and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease and insect pests; for researches and experiments dealing with forest production, management and use; for researches dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researches to discover new uses of land; for the provisions of necessary land, buildings, fencing livestock and other physical equipment needed for the research work herein provided for; for researches in game and fish production; provided, however, that any researches in game and fish production shall be in cooperation with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researches and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

D. Auburn University — Montgomery, Alabama:

For operation and maintenance:

For the fiscal year ending September 30, 1974	2,009,766.00
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For the fiscal year ending September 30, 1975	2,291,133.00
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Section 6. BOARD OF TRUSTEES OF ALABAMA BOYS' INDUSTRIAL SCHOOL:

For the operation and maintenance of the Alabama Boys' Industrial School	780,000.00
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Section 7. BOARD OF TRUSTEES OF ALABAMA INSTITUTE FOR DEAF AND BLIND:

(a) For operation and maintenance of the school:

For the fiscal year ending September 30, 1974	2,082,890.00
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For the fiscal year ending September 30, 1975	2,173,136.00
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(b) For salaries and expenses incident to instruction of Adult Blind and for operation of the Trade School at the Institute:

For the fiscal year ending September 30, 1974	814,256.00
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For the fiscal year ending September 30, 1975	586,666.00
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Section 8. DEBT SERVICE:

(1) For the payment of principal and interest due on bonds issued by Auburn University (Alabama Polytechnic Institute) pursuant to Constitutional Amendment No. CXX,

For the fiscal year ending September 30, 1974	306,095.00
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For the fiscal year ending September 30, 1975	307,720.00
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(2) For the payment of principal and interest due on bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXIX,

REGULAR SESSION
9th Day

795

For the fiscal year ending September 30, 1974	306,095.00
For the fiscal year ending September 30, 1975	307,720.00
(3) For the payment of principal and interest due on bonds issued by the University of Alabama Research Institute pursuant to Constitutional Amendment No. CLVII,	
For the fiscal year ending September 30, 1974	201,200.00
For the fiscal year ending September 30, 1975	201,769.55
(4) Interest on Endowments:	
For the fiscal year ending September 30, 1974:	
For interest on University of Montevallo (Alabama College) Endowment, estimated	42,000.00
For interest on Auburn University Endowment	20,280.00
For interest on University of Alabama Endowment	61,000.00
For interest on Grove Hill Endowment	600.00
For interest on Public School Fund Endowment:	
Interest on 16th Section lands, estimated	275,000.00
Interest on School Indemnity, lands, estimated	62,135.81
Interest on Valueless 16th Section lands	5,825.47
Interest on Surplus Revenue	26,763.47
Interest on James Wallace Fund	275.25
Total	493,880.00
For the fiscal year ending September 30, 1975	
For interest on University of Montevallo (Alabama College) Endowment, estimated	42,000.00
For interest on Auburn University Endowment	20,280.00
For interest on University of Alabama Endowment	61,000.00
For interest on Grove Hill Endowment	600.00
For interest on Public School Fund Endowment:	

JOURNAL OF THE HOUSE, 1973
9th Day

Interest on 16th Section Lands, estimated	280,000.00
Interest on School Indemnity lands, estimated	67,135.81
Interest on Valueless 16th Sec- tion lands	5,825.47
Interest on Surplus Revenue	26,763.47
Interest on James Wallace Fund	275.25

Total	503,880.00
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Section 9. BOARD OF DENTAL SCHOLARSHIP AWARDS:

For Dental Scholarships at the University of Alabama School of Dentistry or any other dental school accredited by the Council on Dental Education of the American Dental Association. To be expended under the provisions of Act No. 793, 1965 Regular Session

83,000.00

Section 10. EDUCATION OF DEPENDENTS OF BLIND PARENTS:

For reimbursement of every Alabama State institution of higher learning, college, university, or Alabama State Trade School or Junior College, in which benefits are given to dependents of blind parents under the provisions of Act No. 281, 1966 Special Session; estimated:

For the fiscal year ending September 30, 1974	6,300.00
For the fiscal year ending September 30, 1975	6,930.00

Section 11. ALABAMA EDUCATION STUDY COMMISSION:

To be used for educational studies in accordance with Act No. 15, 1969 Special Session:

For the fiscal year ending September 30,
1974:

For salaries	80,181.00
For other expenses	118,055.00
For equipment purchases	6,764.00

Total	205,000.00
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For the fiscal year ending September 30,
1975:

For salaries	81,001.00
For other expenses	117,999.00

REGULAR SESSION
9th Day

797

For equipment purchases	6,000.00	
Total		205,000.00

Section 12. ALABAMA EDUCATIONAL TELEVISION COMMISSION:

For the fiscal year ending September 30, 1974:

For salaries	598,000.00	
For other expenses	425,800.00	
For equipment purchases	100,000.00	
For automotive equipment purchases ..	11,200.00	
For programming	325,000.00	
Total		1,460,000.00

For the fiscal year ending September 30, 1975:

For salaries	655,000.00	
For other expenses	448,800.00	
For equipment purchases	140,000.00	
For automotive equipment purchases	11,200.00	
For programming	350,000.00	
Total		1,605,000.00

Section 13. BOARD OF TRUSTEES OF FLORENCE STATE UNIVERSITY:

For the fiscal year ending September 30, 1974:

For operation and maintenance of the University		3,595,820.00
For School of Nursing Scholarships		18,000.00
(To be expended in accordance with Act No. 2304, 1971 Regular Session.)		

For the fiscal year ending September 30, 1975:

For operation and maintenance of the University		3,760,902.00
For School of Nursing Scholarships		18,000.00
(To be expended in accordance with Act No. 2304, 1971 Regular Session.)		

Section 14. COMMISSION ON HIGHER EDUCATION:

For salaries	150,000.00	
For other expenses	144,500.00	
For equipment purchases	5,500.00	
Total		300,000.00

Section 15. BOARD OF TRUSTEES OF ALABAMA INDUSTRIAL SCHOOL AT MT. MEIGS, ALABAMA:

For operation and maintenance of the Alabama Industrial at Mt. Meigs, Alabama	600,000.00
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Section 16. BOARD OF TRUSTEES OF JACKSONVILLE STATE UNIVERSITY.

For the fiscal year ending September 30,
1974:

For operation and maintenance of the University	5,644,440.00
For School of Nursing Scholarships	18,000.00

(To be expended in accordance with
Act No. 2288, 1971 Regular Session.)

For the fiscal year ending September 30,
1975:

For operation and maintenance of the University	5,862,826.00
For School of Nursing Scholarships	18,000.00

(To be expended in accordance with
Act No. 2288, 1971 Regular Session.)

Section 17. BOARD OF TRUSTEES OF LIVINGSTON STATE UNIVERSITY:

For the fiscal year ending September 30,
1974:

For operation and maintenance of the University	1,846,269.00
For Hospital and Medical Services Scholarship Fund	18,000.00

For the fiscal year ending September 30,
1975:

For operation and maintenance of the University	1,909,425.00
For Hospital and Medical Services Scholarship Fund	18,000.00

Section 18. MARINE ENVIRONMENTAL CONSORTORIUM:

For operation and Maintenance

For the fiscal year ending September 30, 1974	250,000.00
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For the fiscal year ending September 30, 1975	258,750.00
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(To be expended in accordance with
Acts No. 946 and 2432, 1971 Regular
Session.)

Section 19. MEDICAL SCHOLARSHIPS BOARD:

For Medical Scholarships at the Univer- sity of Alabama Medical School. To be expended under the provisions of Act No. 278, 1965, 1st Special Ses- sion	135,000.00
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Section 20. BOARD OF TRUSTEES OF UNIVERSITY OF MONTEVALLO:

For the fiscal year ending September 30, 1974:

For operation and maintenance of the University 2,687,127.00

For operation and maintenance of a School for Aphasic Children 127,032.00

For the fiscal year ending September 30, 1975:

For operation and maintenance of the University 2,744,815.00

For operation and maintenance of a School for Aphasic Children 132,113.00

Section 21. SOCIAL SECURITY:

For State's share of Social Security:

For the fiscal year ending September 30, 1974, estimated 22,750,000.00

For the fiscal year ending September 30, 1975, estimated 24,700,000.00

Section 22. SYLACAUGA NURSES TRAINING SCHOOL:

For the operation and maintenance of the Nurses Training School at Sylacauga 40,000.00

For School of Nursing Scholarships 18,000.00

(To be expended in accordance with Act No. 2393, 1971 Regular Session.)

Section 23. BOARD OF TRUSTEES OF THE UNIVERSITY OF SOUTH ALABAMA:

(a) For operation and maintenance of the University:

For the fiscal year ending September 30, 1974 5,241,884.00

For the fiscal year ending September 30, 1975 5,568,397.00

(b) For the operation and maintenance of a College of Medicine, School of Nursing and University Hospital:

For the fiscal year ending September 30, 1974 2,515,000.00

For the fiscal year ending September 30, 1975 3,660,369.00

(c) For Nursing Scholarships 18,000.00

(To be expended in accordance with Act No. 2302, 1971 Regular Session.)

(d) For Coordinate College for Health Professions:

For the fiscal year ending September 30, 1974	392,000.00
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For the fiscal year ending September 30, 1975	512,435.00
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(e) For the University Teaching Hospital

750,000.00

(f) For the University Medical College:

For the fiscal year ending September 30, 1974	250,000.00
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For the fiscal year ending September 30, 1975	325,000.00
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The above appropriations in subsections (e) and (f) of Section 23 shall be conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor.

Section 24. BOARD OF CONTROL OF THE TEACHERS' RETIREMENT SYSTEM:

For the fiscal year ending September 30, 1974:

For the Teachers' Retirement System, Estimated	52,000,000.00
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For the fiscal year ending September 30, 1975:

For the Teachers' Retirement System, Estimated	56,500,000.00
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The above appropriations shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund.

For the Teachers' Special Pension Fund	1,500,000.00
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Section 25. STATE TENURE COMMISSION:

For expense of operation	5,000.00
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Section 26. BOARD OF TRUSTEES OF THE STATE TRAINING SCHOOL FOR GIRLS:

For operation and maintenance of the State Training School for Girls:

For the fiscal year ending September 30, 1974	540,000.00
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REGULAR SESSION
9th Day

801

For the fiscal year ending September 30, 1975	550,000.00
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Section 27. BOARD OF TRUSTEES OF TROY STATE UNIVERSITY:

For operation and maintenance of the University:

For the fiscal year ending September 30, 1974	4,035,008.00
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For the fiscal year ending September 30, 1975	4,177,931.00
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For operation and maintenance at Max- well Air Force Branch	150,000.00
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For operation and maintenance at Fort Rucker Branch	150,000.00
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For School of Nursing—Scholarships (To be expended in accordance with Act No. 2292, 1971 Regular Session.)	36,000.00
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Section 28. BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA:

A. The University:

(1) For operation and maintenance:

For the fiscal year ending September 30, 1974	19,495,112.00
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For the fiscal year ending September 30, 1975	20,788,196.00
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(2) For School of Medicine:

For the fiscal year ending September 30, 1974	877,676.00
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For the fiscal year ending September 30, 1975	1,016,256.00
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(3) For Public Service, Research and Extension	1,066,200.00
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(4) For Nursing Scholarships	18,000.00
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(5) For Alabama Law Institute Library	50,000.00
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(6) Gadsden Cooperative Upper Division Program	138,903.00
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B. The University—Birmingham:

For the fiscal year ending
September 30, 1974:

(1) For the School of Community and Allied Health Re- sources	900,292.00
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(2) For the School of Dentistry:	
For operation and maintenance	2,847,226.00
(3) For Diabetes Clinic:	
For operation and maintenance	92,387.00
(4) For the University College ..	6,302,250.00
(5) For Center for Labor Education and Research	230,000.00
(6) For Medical School:	
(a) For operation and maintenance	6,767,696.00
(b) For operation and maintenance of Medical Information Service via Telephone	75,000.00
(7) For School of Optometry:	
For operation and maintenance	646,708.00
(8) For School of Nursing	934,407.00
(9) For School of Nursing—Scholarships	88,400.00
(10) For Student Nurses—Loan Fund	12,000.00
(11) For the University Hospital and Clinics	1,666,323.00
(12) For Joint Health Science Program:	
For operation and maintenance	1,154,836.00
(13) For Lurleen B. Wallace Cancer Program:	
For operation and maintenance	100,000.00
For the fiscal year ending September 30, 1975:	
(1) For the School of Community and Allied Health Resources	936,304.00
(2) For the School of Dentistry:	
For operation and maintenance	3,515,553.00
(3) For Diabetes Clinic:	
For operation and maintenance	92,387.00

REGULAR SESSION
9th Day

803

(4) For the University College ..	7,076,520.00
(5) For Center for Labor Educa- tion and Research	230,000.00
(6) For Medical School:	
(a) For operation and main- tenance	7,106,079.00
(b) For operation and main- tenance of Medical In- formation Service via Telephone	75,000.00
(7) For School of Optometry:	
For operation and mainte- nance	739,095.00
(8) For School of Nursing	971,783.00
(9) For School of Nursing— Scholarships	88,400.00
(10) For Student Nurses—Loan Fund	12,000.00
(11) For the University Hospital and Clinics	1,816,550.00
(12) For Joint Health Science Pro- gram:	
For operation and mainte- nance	1,154,836.00
(13) For Lurleen B. Wallace Can- cer Program:	
For operation and mainte- nance	100,000.00
C. The University—Huntsville:	
For the fiscal year ending Sep- tember 30, 1974:	
(1) For operation and mainte- nance	3,636,822.00
(2) For Environmental Science Center	138,580.00
(3) For School of Medicine	877,676.00
(4) For Division of Nursing— Scholarships	18,000.00
(To be expended in accord- ance with Act No. 2290, 1971 Regular Session.)	
For the fiscal year ending Septem- ber 30, 1975:	
(1) For operation and mainte- nance	3,932,167.00
(2) For Environmental Science Center	149,667.00

(3) For School of Medicine	1,016,256.00
(4) For Division of Nursing— Scholarships	18,000.00
(To be expended in accordance with Act No. 2290, 1971 Regular Session.)	

Section 29. VETERANS EDUCATION BENEFITS:

For reimbursement to every Alabama State institution of higher learning, college, university, or Alabama State trade school or junior college, in which benefits are given to veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session, Estimated

750,000.00

Section 30. JOHN M. WILL MEMORIAL SCHOLARSHIP FOUNDATION 1,000.00

Section 31. MONTGOMERY INSTITUTE FOR NEUROLOGICAL DEVELOPMENT 25,000.00

Section 32. The following appropriations in this section shall be conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor, and are for each of the fiscal years ending September 30, 1974, and September 30, 1975 unless indicated otherwise:

(1) Auburn University: Operation and maintenance ..	700,000.00
(2) University of Alabama: Operation and maintenance ..	500,000.00
(3) University of South Alabama: Operation and maintenance ..	200,000.00
(4) University of Montevallo	500,000.00
(5) Vocational Technical Schools Equalization Account	1,000,000.00
(6) Junior Colleges Equalization Account:	
For the fiscal year ending September 30, 1974	500,000.00
For the fiscal year ending September 30, 1975	1,000,000.00
(7) University of Alabama— Birmingham:	
The University College: Operation and maintenance ..	250,000.00

Section 33. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, upon the approval by the Governor, shall issue his warrant therefor; provided, that all appropriations and funds made available to the University of Montevallo, the University of Alabama, the University of South Alabama, Auburn University, the Institute for the Deaf and Blind, the Boys' Industrial School, the Alabama Industrial School at Mt. Meigs, Alabama, the State Training School for Girls, the Alabama Educational Television Commission, Teachers Retirement System, Florence State University, Jacksonville State University, Livingston State University, Troy State University and the State Social Security Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 34. The provisions of this Act are severable. If any section, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 35. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

MOTION TO TABLE LOST

The motion offered by Mr. Waldrop to table the substitute offered by Mr. Lyons to the bill, H. 322 as substituted and amended, was lost.

Yeas 14; Nays 75.

Yeas:

Messrs.:	Hale	Mims	Warren	
Boles	Hobbie	Taylor	Wood	
Carnes	Hughes	Waldrop	Wynot	
Coshatt	Jones (F)	Wallace		—14

Nays:

Mr. Speaker	Crawford	Kinsey	Reynolds	
Adams	Cross	Lang	Robertson	
Adwell	Crowe	Lutz	St. John	
Agee	Dill	McBride	Slate	
Barkett	Doss	McCluskey	Smith (K)	
Barron	Drake	McDonald	Snell	
Bassett	Easters	McMillan	Stewart	
Boutwell	Edwards	McNair	Stokes	
Bowers	Ellis	Mathews	Stubbs	
Brassell	Erdreich	May	Therrell	
Burgess	Fite	Meeks	Timmons	
Callahan	Flippo	Merrill	Turner	
Carter	Gafford	Naramore	Turnham	
Casey	Grainger	Nettles	Waggoner	
Cauthen	Grey (D)	Owens	Weeks	
Chesnut	Hardin	Parker	Williams	
Collins	Headley	Perloff	Wise	
Connell	Jackson	Pruitt	Porter	
Cottingham	King	Reid (R)		—75

SUBSTITUTE ADOPTED

The question was then on the adoption of the substitute offered by Mr. Lyons to the bill, H. 322 as substituted and amended, and the substitute was adopted.

Yeas 78; Nays 16.

Yeas:

Mr. Speaker	Cross	Kinsey	Reid (R)
Adams	Crowe	Lang	Reynolds
Adwell	Dill	Lutz	Robertson
Agee	Doss	McBride	St. John
Barkett	Downing	McCluskey	Slate
Barron	Drake	McDonald	Smith (K)
Bassett	Easters	McMillan	Snell
Boutwell	Edwards	McNair	Stewart
Bowers	Ellis	Manley	Stokes
Brassell	Erdreich	Mathews	Stubbs
Burgess	Fite	May	Therrell
Callahan	Flippo	Meeks	Timmons
Carter	Gafford	Merrill	Turner
Casey	Grainger	Naramore	Turnham
Cauthen	Gray (F)	Nettles	Waggoner
Chesnut	Grey (D)	O'Daniel	Weeks
Collins	Hardin	Owens	Williams
Connell	Headley	Parker	Wise
Cottingham	Jackson	Perloff	Porter
Crawford	King		

—78

Nays:

Messrs.:	Hale	Jones (F)	Wallace
Benton	Harris	Mims	Warren
Boles	Hobbie	Taylor	Wood
Carnes	Hughes	Waldrop	Wynot
Coshatt			

—16

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:28 P. M. on June 6, 1973.

H. J. R. 40

H. J. R. 41

H. J. R. 42

H. J. R. 44

H. J. R. 45

JOHN W. PEMBERTON,
Clerk.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:35 A.M. on June 7, 1973:

H. J. R. 15
H. J. R. 16
H. J. R. 18
H. J. R. 19
H. J. R. 22
H. J. R. 23
H. J. R. 24
H. J. R. 20
H. J. R. 26
H. J. R. 34
H. J. R. 50
H. J. R. 52
H. J. R. 53
H. J. R. 54
H. J. R. 55
H. J. R. 58
H. J. R. 59
H. J. R. 62
H. J. R. 63
H. J. R. 64
H. J. R. 67
H. J. R. 68
H. J. R. 69
H. J. R. 70
H. J. R. 38
H. J. R. 8
H. J. R. 61
H. J. R. 73

JOHN W. PEMBERTON,
Clerk.

MOTION TO RECESS

Mr. Lyons moved that the House recess until 3:00 o'clock p.m.

SUBSTITUTE MOTION TO ADJOURN ADOPTED

Mr. Crawford offered the substitute motion that the House adjourn until 2:00 o'clock p.m., Tuesday, June 12, 1973, pursuant to the resolution, H. J. R. 89, heretofore adopted, and the substitute motion was adopted.

Yeas 46; Nays 45.

Yeas:

Messrs.:	Cottingham	Jones (F)	Reynolds
Barkett	Crawford	King	Robertson
Bassett	Dill	Lang	Slate
Benton	Downing	Lutz	Snell
Brassell	Easters	McDonald	Stokes
Burgess	Edwards	Manley	Taylor
Carnes	Erdreich	Mims	Therrell
Carter	Grainger	Nettles	Waldrop
Cauthen	Gray (F)	O'Daniel	Weeks
Chesnut	Grey (D)	Perloff	Williams
Connell	Hardin	Pruitt	Wood
Coshatt	Harris	Reid (R)	

—46

Nays:

Mr. Speaker	Doss	McBride	St. John
Adams	Ellis	McCluskey	Smith (K)
Adwell	Fite	McCorquodale	Stewart
Agee	Flippo	McMillan	Stubbs
Barron	Gafford	McNair	Timmons
Boles	Hale	Mathews	Turner
Boutwell	Headley	May	Turnham
Callahan	Hobbie	Merrill	Waggoner
Casey	Hughes	Naramore	Wallace
Collins	Jackson	Parker	Wise
Cross	Kinsey	Reed (T)	Wynot
Crowe			

—45

TENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 12, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Honorable Chriss Doss, Member of the House of Representatives and former Minister, First Baptist Church, Birmingham, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Barron	Brassell	Cauthen
Adams	Bassett	Burgess	Chesnut
Adwell	Benton	Callahan	Collins
Agee	Boles	Carnes	Connell
Bank	Boutwell	Carter	Coshatt
Barkett	Bowers	Casey	Cottingham

REGULAR SESSION
10th Day

809

Crawford	Hardin	Mathews	Smith (K)
Cross	Harris	May	Smith (P)
Crowe	Headley	Meeks	Snell
Culver	Hearn	Merrill	Stewart
Dill	Hill	Mims	Stokes
Doss	Hobbie	Naramore	Stubbs
Downing	Hughes	Nettles	Taylor
Drake	Jackson	O'Daniel	Therrell
Easters	Jones (F)	Owens	Timmons
Edwards	King	Parker	Turner
Ellis	Kinsey	Perloff	Turnham
Erdreich	Lang	Porter	Waggoner
Falkenburg	Lutz	Pruitt	Waldrop
Fite	McBride	Reed (T)	Wallace
Flippo	McCluskey	Reid (R)	Warren
Gafford	McCorquodale	Reynolds	Weeks
Goodwin	McDonald	Roberts	Williams
Grainger	McMillan	Robertson	Wise
Gray (F)	McNair	St. John	Wood
Grey (D)	Manley	Slate	Wynot
Hale			

—105

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the ninth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the ninth legislative day was approved.

LEAVE OF ABSENCE

On the request of Mr. Doss, leave of absence was granted for Mr. Jones (E) due to illness.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 323. (With Substitute): To make appropriations from the State Treasury for capital improvements.

H. 331. (With Substitute): To make appropriations for Mental Health purposes and for the payment of principal and interest on Mental Health Bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI.

Mr. Fite, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 730. (With Substitute): To repeal Title 14, Sections 420, as amended, 421, as amended, and 422, Code of Alabama 1940, which relate to certain acts prohibited on Sunday and prescribing the punishment therefor.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 521. (With Substitute): Relating to public health; requiring food handlers to have health certificates, prohibiting the employment of persons having infectious or contagious diseases as food handlers; requiring county health officers in each county to administer this act, and granting certain authority to county boards of health; prescribing penalties for violations.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 674. Further amending Code of Alabama 1940, Title 22, Section 93, relating to Vital Statistics, providing for accurate reporting data for divorces in order for Alabama to remain a registration district in the United States.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 129. (With Amendment): To provide a formula for the allocation of the legislatively appropriated state funds for Community Mental Health Programs disbursed by the Alabama Mental Health Board.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 677. Further amending Code of Alabama 1940, Title 22, Sections 23, 24, 25, 26, 27, 28, 29, 30, 31 and adding Section 31 (1), relating to Vital Statistics; providing for registration of death by the funeral director and filing a certificate of death by the attending physician or coroner in certain cases.

H. 591. To provide for a voluntary anatomical gift by executing a statement on state drivers' licenses and to require that a statement be provided for, for such voluntary gifts, on the reverse side of all issued drivers' licenses.

H. 802. To provide for two additional members on the Mental Health Board, pursuant to Act No. 881, H. 699, Regular Session 1965 (Acts 1965, p. 1650), which act creates the Department of Mental Health and the Mental Health Board.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 112. To make appropriations for support and maintenance of the Tuskegee Institute, located in Macon County.

H. 325. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

H. 326. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 335. To further amend Section 1 of Act No. 208, S. 32, approved August 26, 1966 (Acts of Alabama, 1966 Special Session, page 256), which Act provides for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers or certain firemen who are killed in the course of employment, etc., said Section of said Act being last amended by Act No. 1130, S. 482, Legislature of 1969, approved September 13, 1969 (Acts of 1969, Vol. III, p. 2094); to further define the term "peace officer" as used in said Act No. 208, Legislature of 1966, Special Session, as amended, to include "livestock theft investigators" of the Department of Agriculture and Industries.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 803. (With Amendment): To amend Sections 38, 39 and 51 of Title 18 of the Code of Alabama 1940, relating to electric cooperatives, so as to provide for the designation of a quorum at all meetings of the members, to provide for the board of trustees of the cooperative, and to provide for the encumbering of the property of the cooperative.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 817. To provide for participation by the State of Alabama in the Interstate Library Compact.

H. 336. To amend Section 1 of Act No. 238, H. 288, approved July 27, 1953 (Acts of Alabama of 1953, Vol. I, p. 303) an Act providing for the designation of certain employees of the Department of Agriculture and Industries as "Livestock Theft Investigators" with authority as peace officers, etc.; to amend said Act No. 238 to empower "Livestock Theft Investigators" in the employ of the Department of Agriculture and Industries with authority of peace officers to conduct investigations and make arrests for any unlawful offense which authority may be exercised anywhere in the State.

H. 337. To further provide for enforcement of the antilitter laws of the state by the assignment of one or more state troopers for such purposes.

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 795. Relating to mobile home safety, making it unlawful to occupy a mobile home unless it is anchored to resist certain wind loads; providing the Alabama State Fire Marshal with authority to promulgate rules and regulations to enforce this act and providing criminal penalties for its violation.

H. 749. To amend Section 6 of Act No. 1938, H. 262, Regular Session 1972, approved September 20, 1972, which act establishes a Uniform Standards Code for the construction of Mobile Homes to be sold within this state so as to require the posting of bond by the dealer or manufacturer before the issuance of a license by the State Fire Marshal.

H. 153. To provide that any person with an out-of-state driver's license in an automobile with out-of-state tags can have certain quantities of non state tax paid alcoholic beverages in his possession.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 670. To permit banks now or hereafter situated in Washington County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

H. 671. Relating to counties having a population of not less than 16,000 nor more than 16,250 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 722. To regulate further the compensation of registrars in Houston County.

H. 723. Relating to Houston County; Providing for the payment of the Salary and expense allowance to the coroner of said county and to validate salary and expense allowance heretofore paid to the coroner by the governing body and to repeal conflicting laws.

H. 724. To repeal Act Number 1360, H. 2200, approved September 17, 1971, page 2302, Regular Session 1971, entitled "An Act to provide an additional expense allowance for the tax collector, tax assessor and county revenue commissioner of Houston County."

H. 725. To provide for reimbursing the probate judge, county revenue commissioner, clerk circuit court and register of the circuit court of Houston County, Alabama, for certain expenses incurred while out of the county in performance of the duties as such county official, reimburse each the cost of membership in his association including actual expenses incurred traveling to and from and attendance of such meetings.

10th Day

H. 726. To amend Section 1 and Section 6 of Act Number 870 page 1630, H. 1521, of the regular session of the Legislature of Alabama 1971, entitled, "An Act to provide for the salary of the Sheriff of Houston County and the payment of the expenses of operating his office."

H. 727. To provide for reimbursing the employees of the Probate Judge, County revenue commissioner, Clerk circuit court and the register of the circuit court of Houston County, Alabama, for expenses incurred in travel outside their respective county.

H. 763. To amend further Section 1 of Act. No. 1170, S. 674, Regular Session 1969 (Acts 1969, p. 2179) as amended, which provides for the regulation of annual salaries of sheriffs of the several counties of the state, classified on a population basis, with compensation being on a salary basis, so as to provide that in all counties having a population of not less than 26,000 nor more than 26,800, the annual salary of the sheriff shall be not less than \$13,000 nor more than \$15,000.

H. 810. To provide an additional expense allowance for the judge of the circuit court of the twenty-sixth judicial circuit of Alabama.

H. 846. Relating to counties having populations of not less than 33,550 nor more than 34,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; and repealing conflicting Acts.

H. 848. To further amend Section 2 of Act No. 31, S. 16, Special Session 1962 (Acts 1962, p. 42) as amended, which Act provides further for the compensation of members of the county board of education in certain counties having a population of not less than 16,000 nor more than 16,250 inhabitants.

H. 865. Relating to counties having a population of not less than 38,100 and not more than 40,500, according to the last federal decennial census, and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

H. 875. To amend the title and Section 1 of Act No. 530, S. 562, Regular Session 1967 (Acts 1967, p. 1275), which Act provides further for compensation of the members of the county board of education in certain counties classified on a population basis; providing retroactive effect.

H. 888. Relating to the powers of counties having populations of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; authorizing the governing bodies of such counties to adopt ordinances which protect the historic architectural character of the county, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

H. 917. Relating to any county having a population of not less than 15,400 nor more than 15,625, for fixing the salary of the county superintendent of education.

H. 918. Relating to all counties having a population of not less than 16,000 nor more than 16,250, according to the most recent federal decennial census; to provide for the compensation of the county superintendent of education.

BILLS RE-REFERRED

On motion of Mr. Turnham to re-refer, the bills, H. 112, H. 325 and H. 326, were re-referred to the Standing Committee on Ways and Means.

RESOLUTIONS

The following resolutions introduced on the ninth legislative day were read by title, pursuant to Joint Rule 12:

H. J. R. 83. MOURNING THE DEATH OF ELMER N. WRIGHT.

H. J. R. 84. CONGRATULATING THE ASHVILLE BULLDOGS FOR WINNING THE THIRD STRAIGHT 2A STATE TRACK CHAMPIONSHIP IN SELMA.

H. J. R. 85. MOURNING THE DEATH OF MRS. VIRGINIA LUKER.

H. J. R. 86. HONORING THE EMMA SANSOM HIGH SCHOOL "REBEL MARCHING BAND" OF GADSDEN, ALABAMA, FOR WINNING FIRST PLACE FOR AN UNPRECEDENTED FIFTH TIME IN THE 1973 "GREATEST BANDS IN DIXIE" CONTEST AT MARDI GRAS IN NEW ORLEANS.

H. J. R. 87. MOURNING THE DEATH OF MRS. GERTRUDE GOODWIN.

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 76. Commending James R. Maxwell upon his retirement as Tax Collector of Tuscaloosa County.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Merrill, Stewart and Burgess:

H. 919. To further amend Section 1 of Act No. 148, H. 166, Special Session 1969, (Acts 1969, p. 215), which section fixes the compensation of members of the jury commission in all counties having populations of not less than 95,000 nor more than 115,000 inhabitants, according to the most recent federal decennial census; so as to provide for an increase in the compensation paid to the members of said jury commission in said counties.

Local Legislation No. 1.

By Messrs. Merrill, Stewart and Burgess:

H. 920. To further amend Act No. 420, S. 387 of the Regular Session of 1939 (Local Acts, 1939, p. 252), which creates and establishes the County Commission of Calhoun County, amending Section 3 of said Act in order to redivide the county into districts for the purpose of electing the county governing body.

Local Legislation No. 1.

By Messrs. Warren and Mims (With Notice and Proof):

H. 921. Relating to Conecuh County, to provide Clerical Assistance for the Tax Assessor such allowance to be payable out of the General Funds of the County.

Local Legislation No. 1.

Notice and Proof H. 921:

TO BE ENTITLED
AN ACT

Relating to Conecuh County, to provide Clerical Assistance for the Tax Assessor such allowance to be payable out of the General Funds of the County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Conecuh County Commission or like governing body of Conecuh County is authorized to provide an allowance not to exceed \$650.00 for the months of October, November and December of each year for Clerical Assistance for the County Tax Assessor. Such amounts shall be paid monthly out of the General Fund of the County.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, 17, 24, and 31, all in the year 1973.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me May 31, 1973.

HAROLD ADAMS,
Notary Public.

My commission expires April 5, 1977.

By Messrs. Warren and Mims (With Notice and Proof):

H. 922. To provide an additional clerical allowance to the Circuit Clerk of Conecuh County such allowance to be payable out of the General Funds of the County.

Local Legislation No. 1.

Notice and Proof H. 922:

A BILL
TO BE ENTITLED
AN ACT

To provide an additional clerical allowance to the Circuit Clerk of Conecuh County such allowance to be payable out of the General Funds of the County.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Conecuh County is authorized to provide an allowance not to exceed \$300.00 per month for clerical assistance to the Circuit Clerk of the County. Such amount shall be paid out of the general funds of the county and shall be in addition to the salaries and allowances heretofore provided for Clerk-hire by any other general or local law.

Section 2. All laws or parts of laws both general and local which conflict with this act are repealed.

Section 3. This act shall be retroactive to October 1, 1970.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, 17, 24, and 31, all in the year 1973.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me May 31, 1973.

HAROLD ADAMS,
Notary Public.

My commission expires April 5, 1977.

By Mr. Edwards (With Notice and Proof):

H. 923. To authorize the sheriff of Autauga County to collect and retain the fees and allowance prescribed by law for feeding prisoners, to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Local Legislation No. 1.

Notice and Proof H. 923:

LEGALS

STATE OF ALABAMA COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the sheriff of Autauga County to collect and retain the fees and allowances prescribed by law for feeding prisoners.

Be It Enacted by the Legislature of Alabama:

Section 1. Any law to the contrary notwithstanding the sheriff of Autauga County shall be authorized to collect and retain for his own use, as a service allowance, the fees prescribed by the general law for feeding prisoners confined in the county jail.

Section 2. All laws or parts of laws in conflict with the provision hereof be, and the same hereby are, expressly repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Norman E. Ridenhour, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, 10, 17, and 24, all in the year 1973.

NORMAN E. RIDENHOUR.

Sworn to and subscribed before me June 8th, 1973.

LINDA M. TRAYWICK,
Notary Public.

By Mr. Smith(P) :

H. 924. To amend Act No. 799, H. 591 of the Regular Session of 1965 (Acts 1965, p. 1499), which authorized and provided for employment of interpreters when deaf persons or persons having defective speech are either parties to or legally summoned material witnesses in cases, suits, causes, actions or other proceedings, at law or in equity, in circuit courts or courts of record within the state, amending the title and section 1 of such act so as to provide for the employment of interpreters when deaf persons or persons having defective speech are party to or legally summoned material witnesses in any case, suit, cause, action or proceeding, at law or in equity, in any court of the state.

Agriculture.

By Mr. Smith (P) :

H. 925. To provide for the appointment of qualified interpreters for deaf or mute persons or persons who do not speak or understand the English language in certain court proceedings and other instances.

Agriculture.

By Mr. Owens:

H. 926. To amend Title 51, Section 180, Code of Alabama 1940, so as to include those railroads whose gross intrastate earnings are less than \$150,000.

Ways and Means.

By Mr. Owens:

H. 927. To amend Section 707, Title 51, Code of Alabama 1940, relating to the operation of motor vehicles by non-residents on the streets and highways of the state of Alabama by providing for the licensing of such vehicles; providing for the enforcement of the provisions of the Act; providing for a ten day temporary license; providing for the distribution of amounts to be collected; providing authority for the department of revenue to enter into reciprocity and proration agreements with other states, and repealing laws in conflict with this Act; providing for payments of motor vehicle licenses by residents operating motor vehicles in interstate commerce under proration agreements.

Highway Safety.

By Messrs. Owens, Jackson, McCorquodale, Slate, Timmons and Williams:

H. 928. To amend Section 9 of Act No. 1403 of the Regular Session of the Legislature of Alabama of 1971, approved September 17, 1971, being

an Act to provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payment of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1; to provide for the exemption from inspection fees levied by said act of any re-refined, recycled, reprocessed or reclaimed oil where an inspection fee previously has been paid on the oil so re-refined, recycled, reprocessed or reclaimed and to provide further that the Department shall have the right at any time to inspect such re-refined, recycled, reprocessed or reclaimed oil and to require that standards fixed by the Department of Agriculture be met in such re-refining, recycling, and reprocessing and reclaiming oil.

Ways and Means.

By Mr. Barkett:

H. 929. Relating to counties having a population of not less than 52,500 nor more than 53,000 inhabitants according to the most recent federal decennial census, so as to further provide for the compensation of the superintendent of education of such counties.

Local Legislation No. 1.

By Mr. Easters:

H. 930. To amend Section 1 of Act No. 1054, H. 1505, 1971 Regular Session (Acts 1971, p. 1902), which provides for an additional expense allowance of \$30.00 per month for each member of the county school board of counties having a population of not less than 34,100 nor more than 34,900; and to make the provisions of this amendatory act retroactive to September 7, 1971.

Local Legislation No. 1.

By Mr. Easters:

H. 931. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census, providing for the creation of a single county purchasing agent who shall be appointed by the probate judge or the chairman of the county governing body, as the case may be, of each such counties, and who shall be solely responsible for all county purchases.

Local Legislation No. 1.

By Messrs. St. John and Drake:

H. 932. Relating to all counties having a population of not less than 50,000 nor more than 52,500, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Local Legislation No. 1.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 933. To amend Act No. 2141, Alabama Law, Regular Session, 1971, "To provide for and prescribe the form of government of all cities having populations of not less than 35,000 nor more than 37,000."

Local Legislation No. 1.

Notice and Proof H. 933:

NOTICE IS HEREBY GIVEN THAT THE FOLLOWING LOCAL BILL WILL BE INTRODUCED AT THE NEXT REGULAR SESSION OF THE LEGISLATURE OF THE STATE OF ALABAMA.

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 2141, Alabama Law, Regular Session, 1971, "To provide for and prescribe the form of government of all cities having populations of not less than 35,000 nor more than 37,000.

Be It Enacted by the Legislature of Alabama:

Section 1. That Act No. 2141, Alabama Law, Regular Session 1971, approved October 1, 1971, is hereby amended by amending Section 2 thereof to read as follows:

Section 2. The territorial limits of each city shall remain the same as under its former organization, except that for the purpose of holding elections under applicable laws such cities shall be divided into four wards. Ward No. 1 shall be that portion of the city in the northeast section, Ward No. 2 shall be that portion of the city in the southeast section, Ward No. 3 shall be that portion of the city in the southwest section and Ward No. 4 shall be that portion of the city in the northwest section. One associate commissioner shall reside in each of the four wards, and prior to his election to represent a ward must have resided in the ward for at least six months. The president of the board of commissioners may live in either ward. All candidates for election as members of the board of commissioners shall have been qualified electors in such city for at least one year prior to his qualifying as a candidate for office. The president and the associate commissioners provided for by this act shall be known collectively as "The Board of Commissioners of the City of (insert name of city)" and shall have powers and duties hereinafter provided.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, April 4, 11, 18, 25, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 11th day of June, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 934. To authorize the City of Dothan to appropriate funds for the relief of Floyd Clayton, subject to certain conditions.

Local Legislation No. 1.

Notice and Proof H. 934:

NOTICE IS HEREBY GIVEN THAT THE FOLLOWING LOCAL BILL WILL BE INTRODUCED AT THE NEXT REGUAR SESSION OF THE LEGISLATURE OF THE STATE OF ALABAMA.

A BILL
TO BE ENTITLED
AN ACT

To authorize the City of Dothan to appropriate funds for the relief of Floyd Clayton, subject to certain conditions.

Be It Enacted by the Legislature of Alabama:

Section 1. The City of Dothan shall be authorized to appropriate out of any available funds of the city, not otherwise appropriated, and into the retirement fund of the City of Dothan Pension and Retirement System to the credit of Floyd Clayton, such sum as may be necessary to equal contributions paid into said fund by the said Floyd Clayton for the years 1953 and 1954 in order to allow Mr. Clayton to receive creditable service time for the said years 1953 and 1954.

Mr. Clayton was employed by the City of Dothan's engineering department prior to January 2, 1953, at which time he was loaned to the Ewing Engineering Corporation because of his expert knowledge and skill respecting the particular work in which said corporation was then engaged for the City of Dothan. Upon the completion of such work, Mr. Clayton returned to employ-

ment by the City of Dothan on January 14, 1955 where he has been continuously employed to the present time. It is hereby declared that the said Floyd Clayton's absence from direct service to the City of Dothan occurred under such circumstances that he is justly entitled to receive creditable service time for the period during which he was absent from the city's direct employment, that the city is morally obligated to allow Mr. Clayton to receive creditable service time for the years 1953 and 1954 and to pay its share of contributions for said years, and that the said Floyd Clayton has no legal recourse at law to recover said contributions. It is specifically provided, however, that contributions herein authorized to be paid by the City of Dothan shall be contingent upon payment being first made by the said Floyd Clayton into the city's retirement fund of such amounts as he would have been entitled to contribute during the years 1953 and 1954.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA

HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 4-16, 23, 30; 5-7, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 11th day of June, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 935. To subdivide Precinct Number Three of Houston County into four Election Districts; to identify the territorial limits of each District; to require all persons in said Precinct to vote in the District in which he or she may reside; and to repeal all laws and parts of laws in conflict with the provisions of the Act.

Local Legislation No. 1.

Notice and Proof H. 935:

A BILL TO BE ENTITLED AN ACT

To subdivide Precinct Number Three of Houston County into four Election Districts; to identify the territorial limits of each District; to require all

persons in said Precinct to vote in the District in which he or she may reside; and to repeal all laws and parts of laws in conflict with the provisions of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. That Precinct Number Three (that portion of Houston County within the corporate limits of the City of Dothan) is hereby divided into four Election Districts for the purpose of conducting elections within said Precinct, which are described and designated as follows: a) District Number One shall include that portion of said Precinct and the citizens residing therein within the corporate limits of Dothan situated north of the center of East Main Street and-or U.S. Highway 84, East, the Dothan-Ashford Public Highway, and east of the center of North Foster Street to its point of intersecting U. S. Highway 431, and-or Reeves Street, thence north along the center of U. S. Highway 431 to the Dothan City limit. (b) District Number Two shall include that portion of said Precinct and the citizens residing therein within the corporate limits of Dothan situated south of the center of East Main Street and-or U.S. Highway 84, East, the Dothan-Ashford Public Highway and east of the center of South Foster Street to the Center of St. Andrews Street; thence south along the center of St. Andrews Street to the center of Kornegay Street; thence west along the center of Kornegay Street to the center of South Oates Street; thence south along the center of Oates Street to the center of the intersection of St. Andrews and Oates Streets, which is also U.S. Highway 231, South; thence south along the center of South Oates Street and-or U. S. Highway 231, South, to the Dothan City limit, (c) District Number Three shall include that portion of said Precinct and the citizens residing therein within the corporate limits of Dothan situated south of the center of West Main Street and-or U. S. Highway 84, West, the Dothan-Enterprise Highway, and west of the center of South Foster, South St. Andrews, and South Oates Streets, and U. S. Highway 231, South, as described in (b) above, (d) District Number Four shall include that portion of said Precinct and the citizens residing therein within the corporate limits of Dothan situated north of the center of West Main Street and-or U. S. Highway 84, West, as described in (c) above, and west of the center of North Foster Street, and U. S. Highway 431 and-or Reeves Street as described in (a) above.

Section 2. All qualified electors residing within said Precinct shall hereafter cast their ballot, in all elections, within the District in which such elector resides.

Section 3. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 52, 9, 16, 23, 1973, in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing

privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 11th day of June, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 936. To subdivide the City of Dothan into wards for the purpose of conducting municipal elections; to identify the territorial limits of each ward; to require all qualified electors residing in the City and voting in a municipal election to cast their ballot in the ward in which such elector resides; and to repeal all laws or parts of laws in conflict with the provisions of the Act.

Local Legislation No. 1.

Notice and Proof H. 936:

A BILL
TO BE ENTITLED
AN ACT

To subdivide the City of Dothan into wards for the purpose of conducting municipal elections; to identify the territorial limits of each ward; to require all qualified electors residing in the City and voting in a municipal election to cast their ballot in the ward in which such elector resides; and to repeal all laws or parts of laws in conflict with the provisions of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. That the City of Dothan is hereby divided into four wards for the purpose of conducting elections within said City which are described and designated as follows: (a) Ward Number One shall include that portion of the City and the citizens residing therein situated north of the center of East Main Street and-or U. S. Highway 84 East, the Dothan-Ashford Public Highway, and east of the center of North Foster Street to its point of intersecting U. S. Highway 431 and-or Reeves Street; thence north along the center of U. S. Highway 431 to the City limit. (b) Ward Number Two shall include that portion of the City and the citizens residing therein situated south of the center of East Main Street and-or U. S. Highway 84, East, the Dothan-Ashford Public Highway, and east of the center of South Foster Street to the center of St. Andrews Street; thence south along the center of St. Andrews Street to the center of Kornegay Street; thence west along the center of Kornegay Street to the center of South Oates Street; thence south along the center of Oates Street to the center of the intersection of St. Andrews and Oates Streets, which is also U. S. Highway 231, South; thence south along the center of South Oates to the Dothan City limit. (c) Ward Number Three shall include that portion of the City and the citizens residing therein situated south of the center of West Main Street and-or U. S. Highway 84, West, the Dothan-Enterprise Highway, and west of the center of South Foster, South St. Andrews, South Oates Streets, and U. S. Highway 231 South, as described

in (b) above (d) Ward Number Four shall include that portion of the City and the citizens residing therein situated north of the center of West Main Street and-or U. S. Highway 84, West, as described in (c) above and west of the center of North Foster Street, and U. S. Highway 431, and-or Reeves Street, as described in (a) above.

Section 2. All qualified electors residing within the City of Dothan shall hereafter cast their ballot in all municipal elections within the Ward in which such elector resides.

Section 3. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 5-3, 9, 16, 23-73 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 11th day of June, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 937. To amend Act No. 2017, Alabama Law (Regular Session, 1971) "To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

Local Legislation No. 1.

Notice and Proof H. 937:

NOTICE IS HEREBY GIVEN THAT THE FOLLOWING LOCAL BILL WILL BE INTRODUCED AT THE NEXT REGULAR SESSION OF THE LEGISLATURE OF THE STATE OF ALABAMA.

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 2017, Alabama Law (Regular Session, 1971) "To provide for the control and disposition of abandoned automobiles in Houston

County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 2017, Alabama Law (Regular Session, 1971) is hereby amended by amending Section 4 thereof to read as follows:

Section 4. This Act is cumulative and shall not be construed as limiting or restricting any power or authority of any municipality to provide for the control and disposition of abandoned automobiles within its corporate limits by properly enacted ordinance of no less lenience than this Act.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, April 4, 11, 18, 25, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 11th day of June, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Mr. O'Daniel:

H. 938. To provide for employment of Industrial Developers by the Alabama Development Office as non-merit system employees.

State Administration.

By Messrs. Hobbie, Burgess, Drake, Jones (F), Barron, Stubbs, Turnham, Taylor, Easters, Timmons, Adwell, Waggoner, Culver, Bank, Callahan, Williams and Smith (P):

H. 939. To provide for a guaranteed minimum starting wage or salary for all state, county, municipal, or political subdivision law enforcement officers of this state and provide for the enforcement of the provisions of this act.

Ways and Means.

By Messrs. Williams, Chesnut and Porter:

H. 940. To amend further Code of Alabama 1940, Title 51, Section 178, as amended, so as to provide that it shall be unlawful to pass the tax

hereby levied on to the purchaser of the public utility service; and to prescribe penalties.

Ways and Means.

By Mr. Williams:

H. 941. Relating to the Public Service Commission; creating and establishing the Regulatory Personnel Survey Commission which shall examine qualifications, duties and compensation of the existing staff of the Public Service Commission and make recommendations and set standards and policies to enable the Public Service Commission to properly exercise its duties and responsibility to the public; to prescribe the composition, manner of appointment, powers and duties of the Regulatory Personnel Survey Commission; and to provide for its financing out of existing funds.

Ways and Means.

By Mr. Williams:

H. 942. To create the position of people's public service attorney in the Public Service Commission and prescribes his qualifications, duties, powers, and salary.

Ways and Means.

By Mr. Collins:

H. 943. To reenact, expand, and change the Unfair Cigarette Sales Act of 1951; to define and prohibit the unfair sales of cigarettes; to provide remedies and set forth penalties for violation; to repeal Act No. 805, S. 385, Regular Session 1951 (Acts 1951, p. 1402), and all other laws in conflict thereof.

Commerce and Transportation.

By Messrs. Collins, Stubbs, Lyons, Therrell, Downing, Wood, Roberts, Callahan, Stokes and Nettles:

H. 944. To amend Sections 10 and 11 of Act No. 481, S. 152, Regular Session 1963 (Acts 1963, p. 1028), so as to make the executive director and employees of the USS ALABAMA Battleship Commission eligible for membership in the state health insurance plan and eligible for participation in the state employees' retirement system.

Ways and Means.

By Messrs. Timmons and Adwell:

H. 945. To provide for the exemption of those cities or towns within counties of 500,000 or more population from the provisions of Title 37 Section 733, Alabama Code 1940, with regard to cities or towns collecting business, trade, or professional licenses.

Local Legislation No. 2.

By Mr. Gafford:

H. 946. To amend further Section 2, Act No. 100, Second Special Session 1959, the State Sales Tax Act, so as to provide that where any used part of an automotive vehicle or a truck trailer, semitrailer or a house trailer is

taken in trade as a credit or part payment on the sale of a new or rebuilt part, the sales tax shall be paid on the net difference, and to provide that this provision shall not be construed to include tires and batteries.

Ways and Means.

By Messrs. Gafford, Bowers, Weeks, Doss, Carnes, Erdreich, Boutwell, Timmons and Meeks:

H. 947. To amend Section 4 of Title 34, Code of Alabama 1940 to provide in certain instances only a man under the age of seventeen (17) and a woman under the age of fourteen (14) years may contract marriage.

Judiciary.

By Mr. Wood (With Notice and Proof):

H. 948. To require the approval by the governing body of Mobile County of any map, survey or plat of land which lies outside of the corporate limits of any municipality in said county.

Local Legislation No. 3.

Notice and Proof H. 948:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To require the approval by the governing body of Mobile County of any map, survey or plat of land which lies outside of the corporate limits of any municipality in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The probate judge of Mobile County shall record no map, survey or plat of land located outside of the corporate limits of any municipality located in said county, unless such map, survey or plat is accompanied by written evidence of approval by the county governing body.

Section 2. The county commission, board of revenue, or like governing body of Mobile County shall examine and inspect any map, survey, or plat of land located outside the corporate limits of any municipality located in said county upon submission of such map for approval. The county commission or its authorized agent shall determine whether roads in the tract represented by said plat meet standards previously set by the commission, and must certify that such standards are met, before the map, survey or plat can be recorded by the probate judge.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, May 17, May 24, and May 31, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me June 1, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. May (With Notice and Proof):

H. 949. To repeal Act No. 65, H. 205, Regular Session 1955 (Acts 1955, p. 298), approved June 21, 1955, entitled, "An Act To define, regulate and license barbers and barber colleges, and other like businesses in Escambia County, Alabama, State of Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission."

Local Legislation No. 1.

Notice and Proof H. 949:

LEGAL
NOTICE

STATE OF ALABAMA
COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To repeal Act No. 65, H. 205, Regular Session 1955 (Acts 1955, P. 298), approved June 21, 1955, entitled, "An Act To define, regulate and license barbers and barber colleges, and other like businesses in Escambia County, Alabama, State of Alabama; and create a Barber's Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission."

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 65, H. 205, Regular Session 1955 (Acts 1955, p. 298), approved June 21, 1955, entitled, "An Act To define, regulate and license barbers and barber colleges, and other like businesses in Escambia County, Alabama, State of Alabama; and create a Barbers' Commission for said County; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission," is hereby repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James G. Thornton, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Tri-City Ledger, a newspaper of general circulation published in Flomaton, Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 16, May 23, May 30, and June 6, all in the year 1973.

JAMES G. THORNTON, JR.

Sworn to and subscribed before me June 6, 1973.

A. H. COLEMAN,
Notary Public.

Commission Expires 8-22-74.

By Mr. Reed (T):

H. 950. To provide for the incarceration in another state of any law enforcement officer within the state of Alabama who is sentenced to prison in Alabama.

Judiciary.

By Messrs. Bowers, Meeks, Weeks, Boutwell and Gafford:

H. 951. To amend further Code of Alabama 1940, Title 26, Chapter 4, Article 4, Section 213 and Section 214 relating to the eligibility of claimants for benefits under the Unemployment Compensation Act of the State of Alabama, in order to provide benefits to disabled and/or retired veterans who otherwise qualify for such benefits.

Military Affairs.

By Messrs. Bowers, Meeks, Weeks, Boutwell and Gafford:

H. 952. To amend further Code of Alabama 1940, Title 55, Section 305 which relates to the establishment of employment registers under the Merit System law for the various classes of positions in the classified service of the State of Alabama, in order to clarify the extension of veterans preference therein provided to persons who have ever served honorably in the armed forces of the United States at any time, and under certain conditions to the wives and widows of persons who served honorably during this period.

Military Affairs.

By Messrs. Bowers, Meeks, Weeks, Boutwell and Gafford:

H. 953. To amend the "Employees Retirement System of Alabama" as last amended, in order to provide membership service credit to employees, based upon military service prior to becoming members of the "Employees Retirement System of Alabama".

Military Affairs.

By Messrs. Crowe and Naramore:

H. 954. To require the parent or legal guardian of every child entering elementary school in this state to obtain a social security number for each such child and providing for the placement of said social security number on the child's school record upon his entering school.

Education.

By Messrs. Crowe and Naramore:

H. 955. To provide further for the recording fee in the probate office of counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Baron:

H. 956. Relating to circuit court jurisdiction, so as to raise the age of a dependent child, a neglected child, and a juvenile child from sixteen to eighteen years, and to place such persons eighteen years or younger within the jurisdiction of circuit courts in counties having a population of not less than 150,000 and not more than 180,000.

Judiciary.

By Messrs. Manley and Pruitt:

H. 957. To further amend Section 1 of Act No. 134, H. 417, Regular Session 1969 (Acts 1969, p. 408), as amended, which act provides expense allowances to be paid from the Gasoline Tax Fund to the members of the governing bodies of certain counties classified on a population basis.

Local Legislation No. 1.

By Messrs. Pruitt and Manley:

H. 958. To further amend Section 4 of Act No. 551, H. 321, Regular Session (Acts 1967 p. 1300) as amended, providing for an Executive director and personnel for the State Council on the Arts and Humanities, so as to provide for their participation in the State Health Insurance Program.

Ways and Means.

By Mr. Coshatt (With Notice and Proof):

H. 959. Relating to St. Clair County; to authorize the County Governing body to provide books, stationery, postage and other conveniences and supplies to the County Coroner; to make the provisions of this Act retroactive to September 8, 1961.

Local Legislation No. 1.

Notice and Proof H. 959:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County: to authorize the County Governing body to provide books, stationery, postage and other conveniences and supplies to the County Coroner; to make the provisions of this Act retroactive to September 8, 1961.

Be It Enacted by the Legislature of Alabama:

Section 1. The County governing body of St. Clair County is hereby authorized and empowered to furnish the county coroner with such books, stationery, postage and such other conveniences and supplies as are necessary for the proper and efficient conduct of his office.

Section 2. The provisions of this Act shall be retroactive to September 8, 1961.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, undersigned authority in and for said County in said State, this day personally appeared Larry M. Camp, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 22, March 1, 9, and 16, all in the year 1973.

LARRY M. CAMP.

Sworn to and subscribed before me May 29, 1973.

FATE L. GOSSETT, SR.,
Notary Public.

By Mr. Coshatt (With Notice and Proof):

H. 960. Relating to St. Clair County, to provide for and create the St. Clair County Racing Commission for the regulating, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, terms of office, powers, and duties of the commission; to authorize and empower Racing Commission to issue revenue bonds for purpose of acquiring land and construction of race tracks; to prescribe certain qualifications for applicants for licenses; to provide for and regulate the pari-mutuel method of wagering within the enclosure of licensed race tracks; to pro-

vide for the levying of a special gross receipt tax on items sold on premises and the distribution thereof; to prescribe certain rules and regulations in addition to those that may be promulgated by the Racing Commission; to provide for the distribution and appropriation of license fees, taxes, commissions, and other monies received under the provisions of the act; to provide for refinancing of the bonds of indebtedness on the St. Clair County hospital; to provide for the creation of a scholarship trust fund and administration thereof; to provide certain penalties for the violation of this act and for other purposes relative thereto; to further define the intent of the act, and to provide for a referendum of the voters of the county on the question of whether the act will become effective in the county.

Local Legislation No. 1.

Notice and Proof H. 960:

STATE OF ALABAMA
ST. CLAIR COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County, to provide for and create the St. Clair County Racing Commission for the regulating, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, terms of office, powers, and duties of the commission;

To authorize and empower Racing Commission to issue revenue bonds for purpose of acquiring land and the construction of race tracks; to prescribe certain qualifications for applicants for licenses;

To provide for and regulate the pari-mutuel method of wagering within the enclosure of licensed race tracks; to provide for the levying of a special gross receipt tax on items sold on premises and the distribution thereof; to prescribe certain rules and regulations in addition to those that may be promulgated by the Racing Commission;

To provide for the distribution and appropriation of license fees, taxes, commissions, and other monies received under the provisions of the act; to provide for refinancing of the bonds of indebtedness on the St. Clair County hospital;

To provide for the creation of a scholarship trust fund and administration thereof; to provide certain penalties for the violation of this act and for other purposes relative thereto;

To further define the intent of the act, and to provide for the referendum of the voters of the county on the question of whether the act will become effective in the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The St. Clair County Racing Commission is hereby created and established, and is vested with the powers and duties specified in this Act, and all other powers necessary and proper to enable it to execute fully and effectually the purposes of this Act.

The Commission shall consist of three (3) members; one (1) to be appointed by the St. Clair County Commission; one (1) to be appointed by the St. Clair County Board of Education; and one (1) to be appointed by the St. Clair County Legislative delegation.

The original members shall serve terms as follows; one (1) for a term of two (2) years; one (1) for a term of four (4) years; and one (1) for a term of six (6) years. The members shall draw by lot at the first meeting of the commission to determine their respective terms. Hereafter, each term shall be for a term of six (6) years.

The commissioners shall select from among their members, a chairman, vice-chairman, and a secretary. The secretary shall keep a record of all proceedings of the commission and shall preserve all books, maps, documents, papers, and records entrusted to the commission's care.

The commission shall maintain an office in either courthouse in St. Clair County that they determine to be more convenient or feasible, and may maintain branch offices elsewhere in the county when the proper functioning of the commission's business so requires.

A majority of the commission shall constitute a quorum for all purposes. The chairman shall preside at all meetings of the commission, provided, however, in his absence, the vice-chairman shall preside.

Section 2. Should one of the appointing authorities fail to make its appointment to the commission within thirty (30) days after this Act becomes operative the two remaining appointing authorities shall make the appointment. In the event a vacancy occurs and the respective appointing authority fails to appoint a qualified person to the commission within thirty (30) days, the two remaining appointing authorities shall make the appointment to fill the vacancy.

A commission member may be removed at the request of the respective appointing authority for just cause, provided that such request is made in writing setting forth the reasons for removal and a copy of the request is sent to and concurred in by the other two appointing authorities.

Section 3. The members of the commission shall be qualified electors not less than twenty-five years of age, who shall have resided in St. Clair County for the period of five years next preceding their appointment, and each Commissioner shall take the same constitutional oath of office as other county officers, and shall give bond payable to St. Clair County in the amount of five thousand dollars (\$5,000), conditioned that he will faithfully and properly perform the duties of his office.

The premiums on such bonds shall be paid by the commission. The commission may employ such assistants and employees as may be necessary, and fix their compensation in such amounts as the county governing body may approve. Such employees shall be subject to the provisions of the Act providing for the St. Clair County Personnel Appeals Board.

A member of the commission must not be an official, member of any board of directors, or persons financially interested in any race track or race meeting licensed by the commission, nor shall he race greyhounds in any race meeting licensed by the commission.

Section 4. The compensation of each member of the commission shall be one hundred dollars (\$100.00) per month. One member of said commission shall be required to be in attendance at each racing event, and said designated member shall receive an additional thirty dollars (\$30.00) per diem while engaged in the performance of his duties.

The above sums shall be paid out of the funds in the county treasury deposited to the credit of the County Racing Commission, and shall be paid to the commissioners in the same manner as the compensation of other county officers is paid.

Section 5. The racing commission herein created is authorized and empowered to issue revenue bonds for the purpose of land acquisition and for the construction of a race track or tracks in St. Clair County.

Proceeds from lease payments on the track or tracks shall be used to retire said revenue bonds. The racing commission herein created shall not be abolished so long as there are outstanding bonds of indebtedness that were issued and secured by the lease payments or by revenue to be derived from the provisions of this Act.

Section 6. The County Treasurer of the County shall be ex-officio treasurer of the Racing Commission, and shall collect all the license fees, taxes, and monies provided in this Act, and shall supervise, check and audit the operation of the pari-mutuel wagering pools and the conduct and distribution thereof. The county treasurer may be compensated for these additional duties in an amount set by the county governing body, and such compensation shall be paid out of the monies deposited to the credit of the Racing Commission prior to distribution of monies as later provided for in this Act.

Any expense incurred by the treasurer relating to duties performed as ex-officio treasurer may also be paid out of the monies deposited to the credit of the racing commission prior to distribution of monies as later provided for in this Act. Bond for the ex-officio treasurer may be adjusted and set for these additional duties by county governing body.

Section 7. An applicant for a license to erect or operate a racetrack in St. Clair County under the provisions of this Act shall be a corporation, incorporated in St. Clair County.

Said corporation must disclose at the time of filing of its application the amount of stock issued and the names of all stockholders and the amount of stock owned by each. A minimum of sixty percent of said stock must be owned by residents of St. Clair County who must have resided in St. Clair County for a period of five years.

The records of said corporation shall be open to the racing commission and if any time less than sixty percent of the stock is owned by county residents as specified above, said corporation shall forfeit its license to operate under the provisions of this Act.

The provisions of this section may be waived, should they prove impractical, upon the request of the racing commission with the concurrence of

a majority of their appointing authorities. For purpose of this Act the appointing authorities shall be defined as follows:

(1) St. Clair County Commission, (2) County Board of Education, and (3) County Legislative Delegation. For the purpose of waiving the provisions of this section each of the above mentioned authorities shall be entitled to one vote making a total of three votes.

Section 8. It shall be the duty of the County Racing Commission to carry out the provisions of this Act; and it shall have the following specific duties;

(1) To fix and set the dates upon which race meeting may be held or operated.

(2) To make an annual report to the county commission of its operation, showing its own actions and rulings, the receipts derived under the provision of this Act, and such suggestions as it may deem proper for the more effective accomplishment of the purpose of this Act.

(3) To require each applicant, who must meet the requirements of Section 7, to set forth on its application for a license to operate a race meeting the following information;

(a) The names of the stockholders and directors of the corporation.

(b) The exact location where it is desired to conduct or hold a race meeting and preliminary plans showing the site topography, the type of construction, the track design and concession plans, together with a statement of the assets and liabilities of the corporation making such application. An application may be approved subject to approval of detailed construction plans and specifications when prepared.

(c) Whether the racing plant is owned or leased, and if leased, the provisions of Section 7 of this Act shall apply to said corporation offering the racing plant for lease, provided, however, that nothing in this Act shall prevent a corporation from applying to the commission for a permit to conduct races where the racing plant has not been constructed.

(d) The kind of racing to be conducted and the dates requested.

(e) Such other information as the commission may require.

(4) To require an oath of every applicant by its president stating that the information contained in the application is true.

(5) To make uniform rules and regulations governing the holding, conduction, and operating of all race tracks, race meetings, and races held in St. Clair County.

Section 9. All books, records, maps, documents, and papers of the commission, including those filed with the commission as well as those prepared by or for it, shall at all times be open for the personal inspection of any officer of the State of Alabama, or of the county, municipality within St. Clair County, or of any official investigative body or committee and no person having charge or custody thereof shall refuse this right to any officer or investigative body or committee, and it shall be the express duty of such person to assist such officer or committee in locating records or information desired by them.

Any member or employee of the commission who violated the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars (\$100.00) or imprisoned in the county jail not exceeding three months. If any member of the commission violates the provisions of this section, he shall be subject to removal from office.

Section 10. Any corporation desiring to operate a race track in this county shall have the right, subject to the provisions of this Act, to hold and conduct one or more race meetings at such track each year provided that no such license shall be granted to corporation, or to any track, for a period of not less than one hundred (100) racing days, and not more than one hundred fifty (150) racing days in any one year.

Said dates shall not be required to be consecutive, and a racing day may include a matinee performance. No race or racing shall be permitted on Sundays. No person under the legal voting age shall be employed in any manner about said race track except as exercise boys and grooms; nor shall persons under eighteen years of age be permitted to attend any race.

Section 11. The Racing Commission may extend said limitations of time for greyhound racing not to exceed two (2) days at any one track beyond the period otherwise provided by law so that any such track may conduct a charity day of racing for any one or more recognized charities in St. Clair County. The total of all profits derived from the operation of such racing on such charity days including all monies which would otherwise be received by the Racing Commission as taxes for such day's operations shall be and become a part of the charity trust fund for which such racing on such days is conducted. The charity trust fund shall be administered as directed by the county governing body.

In determining profits derived from such racing on such charity days, which profits shall include all taxes payable to the county or any agency thereof for such days' operations. Said tracks shall only be entitled to deduct from the profits accruing from all receipts on such charity days of racing their actual operating costs, which costs shall be those expenses incurred by the race track solely by reason of holding said charity days or racing and shall not be deemed to include such expenses constant from day to day and which would have been incurred had the race on that day not been held, including, but not limited to, such items as capital expenditures, interest on debts, real estate taxes and annual license fee, donations, bad debts, and such other items of daily or prorated expense as the racing commission may by rule prescribe.

Section 12. (a) On or before the 1st day of October of each year, any corporation possessing the qualifications prescribed in this Act shall have the right to apply to the commission for a permit or license to conduct race meetings and racing under the Act. On or before the first day of January of each year, after the receipt of any such application, the commission shall convene to consider and act upon all permits or licenses applied for.

Approved permits or licenses shall be granted for a period of not less than one year from the date of issuance and shall set forth, in addition to any other information prescribed by the commission, the name of the licensee the location of the race track, the duration of the race meeting and the kind of racing desired to be conducted, and shall show the receipt by the commission

of a performance bond in the amount of fifty-thousand (\$50,000) to guarantee the operation of said race meeting. No such license is transferable, nor shall it apply to any other place, track, or enclosure except the one specified in this license.

(b) The Commission shall not issue any licenses which would permit any two race tracks in the County to operate on the same racing days. Further, after the first license has been issued to the licensee, subsequent applications for renewal shall be accompanied by proof (in such form as the Commission may require) that said licensee still possess the qualifications set out in this Act. Such applications for renewal of license shall not be denied except for due cause.

(c) Eighty (80 pct.) percent of the employees of said track must be bona fide resident citizens of St. Clair County, Alabama.

Section 13. The commission may revoke the license of any licensee conducting a race meeting, upon the violation of any of the provisions of this Act, or any rule or regulation promulgated by the commission or may involk a fine not to exceed one thousand dollars (\$1,000.00) per offense in lieu thereof.

It is unlawful for any licensee under this Act, directly or indirectly, to make any contribution whatsoever to any political party or to any candidate for any State, County, or Municipal office, and upon proof being presented of such contribution having been made, the Commission shall immediately and permanently revoke the license of such licensee. No disciplinary action may be taken hereunder until the licensee has been presented with notice in writing specifying the time and place of a disciplinary hearing, said notice setting out in substance the nature of the accusation, and inviting the licensee to appear, with or without counsel, as the licensee may decide, the licensee being afforded an opportunity to face and examine his accusers, call witnesses, and testify if he so chooses.

Section 14. The commission is empowered to compel the production of any and all books, memoranda, or documents showing the receipts and disbursements of any corporation licensed to conduct race meetings under the provisions of this Act. The commission may, at any time, require the removal of any employee or official employed by any licensee hereunder whenever it has reason to believe that such employee or official is guilty of any improper practice in connection with racing, has failed to comply with any condition of the license, or has violated any rule adopted by the commission.

The commission shall have the power to require that the books and financial or other statements of any licensee be kept in a manner and method provided by the commission; and the commission shall be authorized to visit, investigate, and place auditors and inspectors in the offices, tracks, or place of business of any corporation licensed under this Act.

The commission shall have the power to summon witnesses before its meetings; to administer oaths to such witnesses, and to require testimony on any issue before it. Any person failing to appear before said commission, or failing to produce books, records, and documents ordered, or refusing to testify thereon, shall be deemed guilty of a misdemeanor, and upon conviction in a court of competent jurisdiction, shall be punished by a fine of not more than five hundred dollars (\$500.00), or by imprisonment not to exceed six (6) months, or by both fine and imprisonment in the discretion of the court.

Section 15. The commission shall have the power to grant, refuse, suspend, or withdraw licenses to all persons connected with race tracks, including gatekeepers, announcers, ushers, starters, officials, drivers, greyhound owners, agents, trainers, grooms, stable foremen, exercise boys, veterinarians, valets, sellers of racing forms or bulletins, and attendants in connection with the wagering machines, pursuant to such rules and regulations as the commission may adopt and upon the payment of a license fee as fixed and determined by the commission in accordance with the position and compensation of such person. Any license may be revoked by the commission, for good cause shown, and any person whose license is revoked shall be ineligible to participate in such occupation connected with racing unless the license is returned by the commission with permission to operate thereunder.

The commission may deny or revoke a license to any person who has been refused or denied a license by any other state racing commission or racing authority.

Section 16. The commission shall make rules governing, permitting, and regulating the wagering on greyhound races under the form of mutuel wagering by patrons known as "Pari-Mutuel Wagering," which method shall be legal to the extent that, and so long as, the same is carried on and conducted strictly in conformity with this Act, and not otherwise.

Only the persons or corporation receiving a license from the commission shall have the right or privilege to conduct this type of wagering and the licenses shall restrict and confine this form of wagering to a space within the race meeting grounds. All other forms of wagering on the results of greyhound races shall continue to be illegal, and any or all wagering outside of the enclosure of such races, where such races shall have been licensed by the commission, shall be illegal.

No person or corporation shall directly or indirectly purchase pari-mutuel tickets or participate in the purchase of any part of a pari-mutuel pool for another for hire or for any gratuity and no person shall purchase any part of a pari-mutuel pool through another, wherein he gives or pays directly or indirectly such other person anything of value.

Any person violating this section shall be deemed guilty of a misdemeanor, and, upon conviction in a court of competent jurisdiction, shall be punished by a fine of not more than five-hundred dollars (\$500.00), or by imprisonment not to exceed six months, or both fine and imprisonment in the discretion of the court.

Section 17. Every licensee conducting race meetings under the provisions of this Act, shall pay to the Ex-officio Treasurer of the Racing Commission for the use of the Commission, a tax in an amount equal to six (6) percent of the total contributions to all pari-mutuel pools conducted or made on any race track licensed under this Act. The Commission of a licensee on a pari-mutuel pool shall in no event exceed seventeen (17) percent of the amount contributed to said pari-mutuel pool, which amount shall include the six (6) percent tax heretofore provided.

After the deduction of seventeen percent (17 pct.) for the use of the commission and the percentage commission of the licensee, the remainder of the total contributions to each pool shall be divided among and redistributed to the contributors to such pools betting on the winning greyhound.

The amount of each redistribution for each winning bet placed shall be determined by dividing the total amount remaining in the pool after the deductions hereinabove provided for by the number of bets placed on the winning greyhound.

Each redistribution shall be made in a sum equal to the next lowest multiple to ten. The odd cents of all redistributions to be known as the "breaks to a dime," and all monies represented by any unclaimed uncashed, or abandoned pari-mutuel tickets known as "outs" money shall be paid to the Ex-officio Treasurer of the Racing Commission, and shall be allocated in the same manner as other receipts paid to the Ex-Officio Treasurer, and as hereinafter provided for in this Act.

Under the pari-mutuel system of wagering herein provided, the licensee shall be permitted to provide separate pools for bets to win, place, and show, also a daily double pool, quiniela pool, perfecta pool, big quiniela pool (Big Q), big perfecta pool (Big P), twin double pool, tierce pool, perfecta tierce pool, and big tierce pool (Big T). Each pool, shall be redistributed separately as herein provided.

Should there be no ticket bet on the winning greyhound, the entire pool will be divided among the holders of tickets on the greyhound running next in line until the pool has been redistributed to the contributors.

The licensee shall be required to use a totalizator machine to record the wagering and compute the odds. Rules and regulations governing the operation of each of the pools shall be set out in book form by the St. Clair County Racing Commission.

The licensee shall collect from each person attending the race meetings under the provisions of this Act fifteen percent (15 pct.) of the established admission price or ten cents, whichever sum is the greater, as an admission tax.

Licensees shall make payment of such taxes to the ex-officio treasurer of the Racing Commission every seventh calendar day of any and every race meeting, which payment shall be accompanied by a report on the races covered by such report and such other information as the commission may require.

This tax shall be allocated in the same manner as the other taxes received under this Act, and as hereinafter provided for in this Act.

Section 18. If any free passes or complimentary cards shall be issued to guests by any licensee, such licensee shall nevertheless be responsible for payment of the admission tax upon such complimentary admission cards or passes as though they had been sold at the regular admission price.

However, nothing herein contained shall be construed to prohibit the issuance of tax-free passes to officials and actual employees of the licensee, or other persons actually engaged in working at such track, including persons actually employed and accredited by the press or other news service; provided, that the issuance of all such tax-free passes shall be governed by the regulations and orders of the commission and a list of all such officers, employees, and news service representatives shall be filed with the commission.

Section 19. In addition to the above mentioned taxes, there is hereby levied an additional special gross receipt tax of two percent (2 pct.) on all items offered for sale within the confine and upon the premises of race tracks licensed under this Act, including programs.

This tax shall be paid to the Ex-Officio Treasurer of the Racing Commission and shall be allocated in the same manner as other tax receipts hereinafter provided for in this Act. This tax is due and payable by the 20th of month following the applicable tax month.

Section 20. The license fees, commissions, and other taxes imposed herein shall be in lieu of all license fees, commissions and other taxes to the State of Alabama, of any county, city, town, or other political sub-division thereof.

Provided, however, this does not exclude the payment of sales tax on applicable items to the State of Alabama, nor does it exclude tax on alcoholic beverages due the State of Alabama, and the county of St. Clair, nor does it exclude payment of any other taxes that is applicable and due the State and County on property both real and personal.

Section 21. In addition to other rules and regulations that may be promulgated by the racing commission the following shall be complied with by the licensee or operator of the race plant and employees thereof.

(a) A duly licensed Veterinarian shall be on the grounds at weighing time and make examination of the physical conditions of each greyhound, and any dog not considered in good physical condition, shall be reported to the presiding official.

(b) An adequate security force shall be employed as prescribed by the racing commission. Members of security force shall have the same powers as other law enforcement officers of the county while performing their duties on the premises of the race track.

(c) An adequately equipped first aid room shall be provided within the enclosure of the track with a registered nurse on duty during racing hours.

(d) Public liability insurance shall be carried by the licensee or operator in an amount and with a company approved by the racing commission.

(e) All racing events shall be concluded by midnight.

(f) A pari-mutuel ticket shall not be sold to an individual who is visibly inebriated.

(g) All employees at the race track shall be licensed by the racing commission and shall submit a signed affidavit at time of employment that they meet the requirements of this Act and of the Racing Commission herein created.

Each employee shall be required to wear an identifying badge with his or her photograph and name thereon at all times while within or on the premises of the racing plant.

Employees are prohibited from wagering and violators shall have their employment terminated.

Section 22. All fees, commissions, taxes, and other monies, including fines, and forfeitures, received under the provisions of this Act shall be paid to the treasurer of St. Clair County, and deposited by said treasurer in the county treasury to the account of the St. Clair County Racing Commission. All such monies remaining after payment of the expenses incurred in the administration of this Act, including the payment of the salaries and expenses of the members and employees of this commission shall be distributed on an annual basis as follows:

(a) Fifteen percent (15 pct.) or \$200,000 whichever is greater to the St. Clair County Hospital Board. It is the intent of this appropriation to eliminate the need for the levying and collection of the four mill property tax that is presently authorized and is being levied and collected for this purpose.

Accordingly, the hospital board and-or the county governing body is hereby authorized and empowered to refinance the outstanding bonds of indebtedness on the St. Clair County Hospital, and the revenue derived from the provisions of this Act and which is appropriated to the St. Clair County Hospital in this section may be used for this purpose.

Provided, however, this appropriation shall not be paid so long as the property tax is being levied and collected.

It is further the intent of this appropriation to provide for resident medical staff, improved emergency care for citizens of the County; to provide for the necessary future expansion of said hospital or construction of other related facilities and the operation and maintenance of all such facilities.

(b) Thirty-Five (35 pct.) of the monies remaining after the amount due to the hospital board is paid shall be appropriated to the St. Clair County Board of Education for the construction, maintenance and operation of educational facilities in St. Clair County and the upgrading of instruction therein.

(c) Thirty percent (30 pct.) of the monies remaining after the amount due the hospital board is paid shall be appropriated to the municipalities of St. Clair County on a per capita basis according to the most recent population figures used by the federal government for the purpose of revenue sharing, or if these figures are not available, the population figures according to the last federal census shall be used.

(d) Thirty-Five percent (35 pct.) of the monies remaining after the amount due the hospital board is paid shall be appropriated to the general fund of St. Clair County to be allocated and spent in the following prescribed manner:

(1) Fifty percent (50 pct.) of this amount shall remain unearmarked and may be spent in any manner, provided by law, for the benefit of the citizens of St. Clair County, by the county governing body thereof.

(2) Ten percent (10 pct.) shall be used to develop and maintain water and sewer systems in the County.

(3) Six percent (6 pct.) to be appropriated to the St. Clair County Health Department for its use in meeting the health needs of the citizens of St. Clair County.

(4) Six percent (6 pct.) to be used for the general upgrading of the juvenile system of St. Clair County, for the detention and rehabilitation of juvenile offenders, and for the prevention and rehabilitation of drug users.

(5) Six percent (6 pct.) to be appropriated to the Park and Recreation Board of St. Clair County for the acquisition of land, construction, equipping, maintenance, and operation of recreational facilities in the County.

(6) Six percent (6 pct.) to be used by the county governing body to upgrade law enforcement in the County.

(7) Six percent (6 pct.) to be appropriated to the St. Clair County Library Board for the upgrading of the library system, and for the establishment and operation of an adequate county law library. The establishment of the law library shall be done with the advice and counsel of the St. Clair County Bar Association.

(8) Five percent (5 pct.) to be appropriated to the St. Clair County Industrial Development Committee for their use in promoting economic development of the County.

(9) Two and one-half percent (2½ pct.) to be appropriated to the St. Clair County Historical Society for their use in restoring and preserving historic sites and buildings in the County and for the employment of an archivist for the County.

(10) Two and one-half percent (2½ pct.) to be placed in a scholarship trust fund and administered by a scholarship committee to be composed of three members, appointed by the County governing body, the county board of education, and the legislative delegation of the County.

Each to appoint one member and said member to serve at the pleasure of the appointing authority. The scholarship committee herein formed may make reasonable rules and regulations to facilitate the proper administration of this fund, provided, however, that priority of awarding of scholarships under the provisions of this section shall be given, but not limited, to applicants for health careers and shall be conditioned on their desire and intent to pursue said careers in St. Clair County.

Section 23. Any corporation, association, or person who directly or indirectly holds any greyhound race without having procured a license as prescribed in this Act, shall be guilty of a misdemeanor.

Any person wagering upon the results of such a race, except in the pari-mutuel or mutuel method of wagering when the same is conducted by a licensee and upon the grounds or enclosure of said licensee, shall be guilty of a misdemeanor.

Any corporation, organization, association, or person who violates any provision to this Act, for which a penalty is not expressly provided shall be guilty of a misdemeanor.

Upon conviction of any of the above misdemeanors in a court of competent jurisdiction, the penalty shall be a fine of not less than one hundred dollars (\$100.00), nor more than one thousand dollars (\$1,000.00), or by imprisonment of not less than five days nor more than six months, or both, such fine and imprisonment to be in the discretion of the court.

Section 24. No person who engages in the practice of professional gambling on greyhound races, or in the practice of making gambling or wagering books on such races, or who knowingly takes any part in such practices, shall be eligible as an applicant for any license or permit to operate a race track or a race meeting under the provisions of this Act, or to be connected therewith in any capacity and any association or corporation which as an officer, director, stockholder, executive, or employs any person who engages in such practices shall likewise be ineligible as a licensee, and the commission is hereby empowered to inquire into such matters in entertaining any such applications and otherwise in administering this Act.

Section 25. Any person who shall influence or have any understanding or connivance with any owner, groom, or other person associated with or interested in any kennel, greyhound, or race in which any greyhound participates, to prearrange or predetermine the results of any such race, or any person who shall stimulate or depress a greyhound for the purpose of affecting the results of a race, shall be guilty of a felony and upon conviction thereof, shall be imprisoned in the state prison for not less than one year not more than ten years, or shall be fined not less than one thousand dollars (\$1,000.00) nor more than five thousand dollars (\$5,000.00) or both, in the discretion of the court.

Section 26. It shall be unlawful for any person to transmit or communicate to another by any means whatsoever the results, changing odds, track conditions, or any other information relating to any greyhound race from any race track in this county, between the period of time beginning one hour prior to the first race of the day and ending thirty minutes after the posting of the official results of each race, as to that particular race; except that this period may be reduced to permit the transmitting of the results of the last race each day not sooner than fifteen minutes after the official posting of such results. Provided, however, that the commission may, by rule, permit the immediate transmission by radio, television, or press wire of any pertinent information concerning feature races.

It shall be unlawful for any person to transmit by any means whatsoever racing information to any other person, or to relay the same to any other person by word of mouth, by signal, or by use of telephone, telegraph, radio, or any other means, when the information is knowingly used or intended to be used for illegal gambling purposes, or in furtherance of such gambling purposes.

Any person violating the provisions of this section shall be guilty of a felony, and upon conviction, shall be imprisoned in the state penitentiary for not less than one year nor more than ten years, or shall be fined not less than one thousand dollars (\$1,000.00) nor more than five thousand dollars (\$5,000.00) or both, in the discretion of the court.

Section 27. It is the intent of this Act to improve the economic well being of the citizens of St. Clair County, by providing an increased taxbase, jobs for the citizens herein, and promotion of tourism and recreation in St. Clair County. It is further the intent of this Act to provide for strict local control of the racing plant or plants and the operation of said plants by St. Clair County citizens so as to minimize the possibility of undesirable gambling elements from ever controlling this industry.

Section 28. The county governing body of St. Clair County shall call and provide for holding a referendum for the purpose of the determining if

this Act shall become operative. The referendum shall be held not less than thirty (30) days, nor more than forty (40) days after the effective date of this Act, and shall be advertised, held, conducted and the results thereof canvassed in the manner provided by law for advertising, holding, and canvassing county bond elections. The question to be voted on shall be stated on the ballots or voting machine tabs substantially as follows:

"Do you favor the creation of the St. Clair County Racing Commission to regulate licensing and supervision of greyhound racing and wagering thereon as provided in Act No. approved., 1973?"

If the majority of the votes cast in the referendum as "Yes," greyhound racing shall be legal in St. Clair County and this Act shall become operative therein; if the majority of the votes cast in the election are "No," this Act shall have no further effect. The Probate Judge of St. Clair County shall certify the results of the referendum to the Secretary of State of Alabama within thirty (30) days after the election returns are canvassed.

Section 29. If any provision, paragraph or part of this Act shall be declared invalid, unconstitutional, or void, the balance of said Act shall remain in full force and effect.

Section 30. All laws or parts of laws in conflict with the Act are repealed.

Section 31. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Cornett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, 10, 17, and 25, all in the year 1973.

ROBERT D. CORNETT.

Sworn to and subscribed before me June 4, 1973.

ANNE T. MILAM,
Notary Public.

By Mr. Brassell:

H. 961. Relating to the Twenty-sixth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Ways and Means.

By Mr. Adams:

H. 962. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Russell County; to the con-

solidation of the offices held by the circuit clerk and register in equity; and to fix and regulate the costs and charges of courts.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Taylor, Barron and Jones (F):

H. 963. Relative to a county having a population of not less than 150,000 nor more than 180,000 inhabitants; to provide that the members of the housing authority board in the largest municipality in such county shall be appointed by the city commission as a whole in lieu of the mayor of such municipality.

Local Legislation No. 4.

By Messrs. Slate and Cauthen:

H. 964. To provide for the procedure concerning purchases made by circuit judges of law books, equipment, robes and other materials and supplies reasonably necessary and essential for the operation of his office or court.

Judiciary.

By Mr. Taylor:

H. 965. Relating to counties having populations of not less than 150,000 nor more than 180,000; to establish an area housing authority by such county and the largest municipality therein; to prescribe the powers and duties of such authority; to provide that the members of the commission shall be selected by the governing body of the largest municipality in such county; and to provide for the transfer of all rights, contracts and property of a housing authority previously established in such county or municipality.

Local Legislation No. 4.

By Messrs. Taylor, Barron and Jones (F):

H. 966. To provide that whenever a criminal offense under the laws of this state shall be punishable by death that the jury trying the case shall have the power to impose as an alternate punishment "life imprisonment without hope of release."

Judiciary.

By Messrs. Taylor, Barron, Harris and Jones (F):

H. 967. To provide further for disqualification for holding elective county offices.

Local Legislation No. 4.

By Messrs. Hill, Lyons and Taylor:

H. 968. To provide for a fine for the abandonment of domestic animals.

Judiciary.

REGULAR SESSION
10th Day

847

By Messrs. Hill and Lyons:

H. 969. Providing for licensing of pet shop operators and dog dealers or combination thereof regulating such business, and providing penalties for violations thereof.

Judiciary.

By Messrs. Hill, Lyons and Taylor:

H. 970. Relating to Act No. 2246, S. 815, 1971 Regular Session (Acts 1971, p. 3602), which act protects wildlife exhibited for public purposes, so as to remove certain exemptions granted under Section 7 thereof, by specifically repealing Section 7 of said act.

Judiciary.

By Mr. Cauthen:

H. 971. To amend Section 2 of Act No. 350, Regular Session 1945 (Acts 1945, p. 565), authorizing the governing body of any county or certain municipalities to create a recreation board, so as to authorize the governing body of any such county or municipality, within the discretion of any such governing body, to increase the members of such recreation boards from five to not less than five nor more than seven.

Local Government.

By Messrs. Cauthen and Benton:

H. 972. To prohibit any preference among members of the legislature by the Legislative Reference Service in drafting legislation.

Rules.

By Mr. Cauthen:

H. 973. Relating to all counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census; authorizing the governing body of any such counties or any municipality within such counties to provide recreational facilities and services; to provide for the creation, establishment, maintenance, and support of a recreation board in any such county or municipality; and to provide for the duties and powers of such boards.

Local Legislation No. 1.

By Mr. Grey (D):

H. 974. To provide that whenever any eye and physical examination is required of an individual as a prerequisite to employment, the purchase of eye glasses or other visual aids shall not be required until the job applicant shall have passed the physical examination and have been given a valid offer of employment; to make the violation of the provisions of this act a misdemeanor.

Business and Labor.

By Mr. Dill:

H. 975. Proposing an amendment to the Constitution of Alabama pertaining to the consolidation of Jefferson County, Alabama and all municipali-

ties therein, or partially therein into a single body corporate, and matters relating thereto.

Local Legislation No. 2.

The above bill was read a first time at length as required by the Constitution.

By Mr. Dill:

H. 976. To implement the amendment to the Constitution of Alabama proposed at the 1973 Regular Session of the Legislature of Alabama pertaining to the consolidation of the governments of Jefferson County, Alabama, and the governments of all cities and towns lying wholly or partially in Jefferson County, Alabama, into a new consolidated body corporate; to provide for the form and powers of the consolidated county government; to provide as the governing body of the consolidated county government a county council; to provide for the number of members of the county council, their elections and terms of office, and the districts within the consolidated county from which members of the said county council shall be elected; to specify the duties, functions, powers and authority of the said county council; to provide for the election, appointment or designation of officers and employees of the consolidated county and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor of the consolidated county and for the filling of vacancies in office of Mayor; to specify the duties, powers, functions, responsibilities and authority of the Mayor; to provide for the election, term, qualifications and compensation of a President of the said county council and for the filling of vacancies in the office of the President of the county council; to specify the duties, powers, functions, responsibilities and authority of the President of the county council; to provide for the control of the finances of the consolidated county; to provide for an annual budget, its preparation, submission, and adoption and the affect thereof; to create and define the powers, functions, duties and authority of the department of finance and director of the department of finance; to regulate purchases and contracts of the consolidated county; to provide for the existence within the consolidated county of certain municipal corporations to be known as municipalities (as specially defined in this Act), their boundaries, the conditions under which and means by which they shall come into existence; to provide for powers, rights and duties of the municipalities, including but not limited to powers in the area of recreation, planning and zoning, garbage and trash collection, and the granting of liquor licenses; to provide the manner in which each municipality shall exercise its planning and zoning responsibilities and powers; to provide for the election of municipal councils as a governing body of the municipalities; to provide for the manner in which the municipal councils shall conduct their business; to provide for review by the county council of the consolidated county of actions by the municipal council in planning and zoning matters; to provide for the application, administration, and enforcement of the planning and zoning ordinances of the municipal councils and for the appointment of officers having duties with respect thereto; to provide for the preservation of certain areas within the consolidated county for the exclusive jurisdiction of the consolidated county council in planning and zoning matters; to specify the ad valorem taxing power of the consolidated county; to provide for the payment over to the municipality of certain proceeds of certain ad valorem taxes; to provide for the levying, collection and distribution of ad valorem taxes for public school purposes in the several school districts within the consolidated

county; to provide for the levying of additional ad valorem taxes within certain areas of the consolidated county for school purposes; to provide for restrictions on municipal borrowing of cities or towns located within the areas proposed to be consolidated pending consolidation; to provide for the succession in government in the event that the consolidation becomes effective, including the effect of consolidation on employees in cities or towns existing prior to the date of consolidation upon the pension rights of such employees, upon contracts, and upon boards, authorities and other public corporations appointed by cities or towns located within the boundaries of the area proposed to be consolidated; to provide for the transfer of utilities owned and operated by prior existing cities or towns to independent public corporations; to provide for the disposition of any net revenues of any such independent public corporations to which municipal utilities have been transferred; to provide for the disposition of other properties of prior existing cities or towns; to provide for the reapportionment of the districts from which members of the county council are elected; to provide for the effective date of consolidation and the manner of holding elections to determine whether or not the consolidation proposed by this Act shall take effect; to provide for the continuation of the board of education of the city of Birmingham as an independent school district after the effective date of the consolidation and to provide that students residing in the Birmingham School district shall attend public schools therein; to provide that areas within the consolidated county served by the Jefferson County Board of Education prior to consolidation shall continue to be served by the Jefferson County Board of Education and to provide the students residing within the consolidated county and within the areas served by the Jefferson County School District prior to consolidation shall continue to attend schools owned and operated by the Jefferson County School District; to provide for the continuation of the boards of education and their respective school districts in certain other areas of the consolidated county; to provide for the manner of appointing or electing the members of the school boards governing the several respective school districts (other than the Jefferson County School District), serving areas located within the consolidated county; to provide for the geographic boundaries of the several school districts serving the said areas located within the consolidated county; to provide that the laws in effect immediately prior to the effective date of the consolidation and relating or applicable to any of the said school districts and the said governing bodies, and members, officers and employees of the said school districts shall, with certain exceptions, continue applicable thereto; to confer additional powers on the said school districts and governing bodies, including, but without limitation, the power of the said governing bodies to call, canvass and hold elections on the issuance of general obligation capital outlay bonds and the issuance of such bonds when authorized at an election; to provide for the issuance of refunding bonds without the necessity of authorization at such election; to provide for an ad valorem tax in each of said school districts for public school purposes in each of said districts; to provide for an additional special ad valorem tax in said school districts when necessary to pay the principal of and interest on the general obligation capital outlay bonds of said respective school boards or school districts; to provide for a levy by the governing body of Jefferson County, for the collection by the tax collector of said county, of all such taxes; to provide for an urban service area and a suburban service area within the consolidated county, the level of local government services to be provided in each of said service areas and the level of ad valorem and license taxes applicable in said service areas; to provide for the effect of the consolidation on courts in the consolidated county;

to provide for the vesting of all responsibility for jails and places of detention in the Sheriff of Jefferson County, Alabama, and to provide that said sheriff shall have custody of all persons contained therein in detention; to provide for a uniform system of accounts within the consolidated county; and to continue the salaries of certain officials of Jefferson County after the effective date of the consolidation and to provide for positions in the consolidated county government for certain officials of Jefferson County, Alabama, under certain circumstances after the effective date of the consolidation; and to provide for the postponement of elections within the city of Birmingham prior to the effective date of the consolidation.

Local Legislation No. 2.

By Messrs. Cottingham, Turner, Adams, Brassell, Snell, Turnham, Carter, St. John, Culver and Dill:

H. 977. To amend further Code of Alabama 1940, Title 51, Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

Ways and Means.

BILLS ON THIRD READING

And the bill:

H. 220. To apply only in counties having a population of not less than 21,000 nor more than 22,000 inhabitants; providing for additional expense allowances for members of the board of equalization payable from the general funds of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Connell	Goodwin	McCorquodale
Adams	Coshatt	Gray (F)	McDonald
Adwell	Cottingham	Grey (D)	McMillan
Agee	Crawford	Hale	McNair
Bank	Cross	Hardin	Manley
Barkett	Crowe	Harris	May
Barron	Culver	Headley	Meeks
Bassett	Dill	Hearn	Merrill
Benton	Doss	Hill	Mims
Boutwell	Downing	Hobbie	Naramore
Bowers	Drake	Hughes	Nettles
Brassell	Easters	Jackson	O'Daniel
Burgess	Edwards	Jones (F)	Owens
Callahan	Ellis	King	Parker
Carnes	Erdreich	Kinsey	Perloff
Carter	Falkenburg	Lang	Porter
Cauthen	Fite	Lutz	Pruitt
Chesnut	Flipppo	McBride	Reed (T)
Collins	Gafford	McCluskey	Reid (R)

REGULAR SESSION

851

10th Day

Reynolds	Snell	Timmons	Weeks
Roberts	Stewart	Turner	Williams
St. John	Stokes	Waggoner	Wise
Slate	Stubbs	Waldrop	Wood
Smith (K)	Taylor	Wallace	Wynot
Smith (P)	Therrell	Warren	

—99

And the bill:

H. 659. To amend Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the county superintendent of education in Marengo County, and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Hardin	Nettles	Wallace
Collins	Harris	O'Daniel	Warren
Connell	Headley	Owens	Weeks
Coshatt	Hearn	Parker	Williams
Cottingham	Hill	Perloff	Wise
Crawford	Hobbie	Porter	Wood
Cross	Hughes	Pruitt	Wynot
Crowe	Jackson	Reed (T)	

—99

And the bill:

H. 660. To amend Act No. 93, H. 77, approved July 1, 1969, which authorized and requires the Court of County Commissioners, Board of Revenue or other like governing body of Geneva County to provide Clerk-hire allowances for the clerk of the circuit court, the tax assessor, and the tax collector, of Geneva County, so as to increase the amount of such allowances.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Hardin	Nettles	Wallace
Collins	Harris	O'Daniel	Warren
Connell	Headley	Owens	Weeks
Coshatt	Hearn	Parker	Williams
Cottingham	Hill	Perloff	Wise
Crawford	Hobbie	Porter	Wood
Cross	Hughes	Pruitt	Wynot
Crowe	Jackson	Reed (T)	

—99

And the bill:

H. 703. To amend Section 1 of Act No. 349, H. 869, 1969 Regular Session of the Alabama Legislature (Acts 1969, p. 721), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama," so as to increase the amount of said allowance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Carter	Easters	Hearn
Adams	Cauthen	Edwards	Hill
Adwell	Chesnut	Ellis	Hobbie
Agee	Collins	Erdreich	Hughes
Bank	Connell	Falkenburg	Jackson
Barkett	Coshatt	Fite	Jones (F)
Barron	Cottingham	Flippo	King
Bassett	Crawford	Gafford	Kinsey
Benton	Cross	Goodwin	Lang
Boutwell	Crowe	Gray (F)	Lutz
Bowers	Culver	Grey (D)	McBride
Brassell	Dill	Hale	McCluskey
Burgess	Doss	Hardin	McCorquodale
Callahan	Downing	Harris	McDonald
Carnes	Drake	Headley	McMillan

REGULAR SESSION

853

10th Day

McNair	Parker	Smith (K)	Waggoner
Manley	Perloff	Smith (P)	Waldrop
May	Porter	Snell	Wallace
Meeks	Pruitt	Stewart	Warren
Merrill	Reed (T)	Stokes	Weeks
Mims	Reid (R)	Stubbs	Williams
Naramore	Reynolds	Taylor	Wise
Nettles	Roberts	Therrell	Wood
O'Daniel	St. John	Timmons	Wynot
Owens	Slate	Turner	

—99

And the bill:

H. 704. To provide that the Marengo County commission shall have authority to appoint additional deputy sheriffs and establish their salary, to make the provisions of this Act retroactive to August 1, 1969.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Gray (D)	Mims	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Hardin	Nettles	Wallace
Collins	Harris	O'Daniel	Warren
Connell	Headley	Owens	Weeks
Coshatt	Hearn	Parker	Williams
Cottingham	Hill	Perloff	Wise
Crawford	Hobbie	Porter	Wood
Cross	Hughes	Pruitt	Wynot
Crowe	Jackson	Reed (T)	

—99

And the bill:

H. 705. Relating to Marengo County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Gray (D)	Mims	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Hardin	Nettles	Wallace
Collins	Harris	O'Daniel	Warren
Connell	Headley	Owens	Weeks
Coshatt	Hearn	Parker	Williams
Cottingham	Hill	Perloff	Wise
Crawford	Hobbie	Porter	Wood
Cross	Hughes	Pruitt	Wynot
Crowe	Jackson	Reed (T)	

—99

And the bill:

H. 706. To amend Section 1 of Act No. 348, H. 868, 1969 Regular Session of the Alabama Legislature (Acts 1969, p. 720), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama," so as to increase the amount of said allowance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Ellis	Hughes
Adams	Chesnut	Erdreich	Jackson
Adwell	Collins	Falkenburg	Jones (F)
Agee	Connell	Fite	King
Bank	Coshatt	Flippo	Kinsey
Barkett	Cottingham	Gafford	Lang
Barron	Crawford	Goodwin	Lutz
Bassett	Cross	Gray (F)	McBride
Benton	Crowe	Grey (D)	McCluskey
Boutwell	Culver	Hale	McCorquodale
Bowers	Dill	Hardin	McDonald
Brassell	Doss	Harris	McMillan
Burgess	Downing	Headley	McNair
Callahan	Drake	Hearn	Manley
Carnes	Easters	Hill	May
Carter	Edwards	Hobbie	Meeks

REGULAR SESSION
10th Day

855

Merrill	Pruitt	Snell	Waldrop
Mims	Reed (T)	Stewart	Wallace
Naramore	Reid (R)	Stokes	Warren
Nettles	Reynolds	Stubbs	Weeks
O'Daniel	Roberts	Taylor	Williams
Owens	St. John	Therrell	Wise
Parker	Slate	Timmons	Wood
Perloff	Smith (K)	Turner	Wynot
Porter	Smith (P)	Waggoner	

—99

And the bill:

H. 754. Relating to Perry County, to provide that the Sheriff shall be entitled to the allowances payable by the State for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Hardin	Nettles	Wallace
Collins	Harris	O'Daniel	Warren
Connell	Headley	Owens	Weeks
Coshatt	Hearn	Parker	Williams
Cottingham	Hill	Perloff	Wise
Crawford	Hobbie	Porter	Wood
Cross	Hughes	Pruitt	Wynot
Crowe	Jackson	Reed (T)	

—99

And the bill:

H. 815. To provide additional exemptions from the Marion County sales and use tax law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boutwell
Adams	Bank	Bassett	Bowers
Adwell	Barkett	Benton	Brassell

Burgess	Falkenburg	McCluskey	St. John
Callahan	Fite	McCorquodale	Slate
Carnes	Flippo	McDonald	Smith (K)
Carter	Gafford	McMillan	Smith (P)
Cauthen	Goodwin	McNair	Snell
Chesnut	Gray (F)	Manley	Stewart
Collins	Grey (D)	May	Stokes
Connell	Hale	Meeks	Stubbs
Coshatt	Hardin	Merrill	Taylor
Cottingham	Harris	Mims	Therrell
Crawford	Headley	Naramore	Timmons
Cross	Hearn	Nettles	Turner
Crowe	Hill	O'Daniel	Waggoner
Culver	Hobbie	Owens	Waldrop
Dill	Hughes	Parker	Wallace
Doss	Jackson	Perloff	Warren
Downing	Jones (F)	Porter	Weeks
Drake	King	Pruitt	Williams
Easters	Kinsey	Reed (T)	Wise
Edwards	Lang	Reid (R)	Wood
Ellis	Lutz	Reynolds	Wynot
Erdreich	McBride	Roberts	

—99

And the bill:

H. 850. Relating to all counties having a population of not less than 34,100 nor more than 34,900, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Hardin	Nettles	Wallace
Collins	Harris	O'Daniel	Warren
Connell	Headley	Owens	Weeks
Coshatt	Hearn	Parker	Williams
Cottingham	Hill	Perloff	Wise
Crawford	Hobbie	Porter	Wood
Cross	Hughes	Pruitt	Wynot
Crowe	Jackson	Reed (T)	

—99

REGULAR SESSION
10th Day

857

And the bill:

H. 811. To amend Section 1 of Act No. 1054, H. 1505, 1971 Regular Session (Acts 1971, p. 1902), which provides for an additional expense allowance of \$30.00 per month for each member of the county school board of counties having a population of not less than 34,100 nor more than 34,900; and to make the provisions of this amendatory act retroactive to September 7, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Gray (D)	Mims	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Hardin	Nettles	Wallace
Collins	Harris	O'Daniel	Warren
Connell	Headley	Owens	Weeks
Coshatt	Hearn	Parker	Williams
Cottingham	Hill	Perloff	Wise
Crawford	Hobbie	Porter	Wood
Cross	Hughes	Pruitt	Wynot
Crowe	Jackson	Reed (T)	

—99

And the bill:

H. 813. To repeal Act No. 948, H. 1017, Regular Session 1951 (Acts 1951, p. 1618), an act relating to counties having populations of not less than 30,000 nor more than 33,500, according to the 1950 or any subsequent federal decennial census and having two courthouses; providing for the appointment of deputies or clerks for the offices of the tax assessor, tax collector and circuit clerk of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Burgess
Adams	Barkett	Boutwell	Callahan
Adwell	Barron	Bowers	Carnes
Agee	Bassett	Brassell	Carter

Cauthen	Gafford	McDonald	Slate
Chesnut	Goodwin	McMillan	Smith (K)
Collins	Gray (F)	McNair	Smith (P)
Connell	Gray (D)	Manley	Snell
Coshatt	Hale	May	Stewart
Cottingham	Hardin	Meeks	Stokes
Crawford	Harris	Merrill	Stubbs
Cross	Headley	Mims	Taylor
Crowe	Hearn	Naramore	Therrell
Culver	Hill	Nettles	Timmons
Dill	Hobbie	O'Daniel	Turner
Doss	Hughes	Owens	Waggoner
Downing	Jackson	Parker	Waldrop
Drake	Jones (F)	Perloff	Wallace
Easters	King	Porter	Warren
Edwards	Kinsey	Pruitt	Weeks
Ellis	Lang	Reed (T)	Williams
Erdreich	Lutz	Reid (R)	Wise
Falkenburg	McBride	Reynolds	Wood
Fite	McCluskey	Roberts	Wynot
Flippo	McCorquodale	St. John	

—99

And the bill:

H. 814. To provide for the appointment of a deputy or clerk for the circuit clerk of all counties having populations of not less than 34,100 nor more than 34,900, according to the most recent federal decennial census; and to provide for retroactive effect of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Gray (D)	Mims	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Hardin	Nettles	Wallace
Collins	Harris	O'Daniel	Warren
Connell	Headley	Owens	Weeks
Coshatt	Hearn	Parker	Williams
Cottingham	Hill	Perloff	Wise
Crawford	Hobbie	Porter	Wood
Cross	Hughes	Pruitt	Wynot
Crowe	Jackson	Reed (T)	

—99

REGULAR SESSION
10th Day

859

And the bill:

H. 75. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to provide that any employee of a retail store operated by the ABC Board in such counties shall be compensated only by overtime pay for work performed in excess of 8 hours a day or 40 hours per week and to require that such employees be given the same holidays as other State employees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Benton	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Hardin	Nettles	Wallace
Collins	Harris	O'Daniel	Warren
Connell	Headley	Owens	Weeks
Coshatt	Hearn	Parker	Williams
Cottingham	Hill	Perloff	Wise
Crawford	Hobbie	Porter	Wood
Cross	Hughes	Pruitt	Wynot
Crowe	Jackson	Reed (T)	

—99

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Erdreich, Owens and Stubbs:

H. J. R. 90. WHEREAS, the Congress of the United States is considering a proposal relating to the designation of the Cahaba River for potential addition to the National Wild and Scenic Rivers System; and,

WHEREAS, this proposal by U. S. Congressman Walter Flowers will be a step toward protecting and preserving the Cahaba River which is valuable to the natural heritage of our State; and

WHEREAS, it is the desire and wish of the Legislature of Alabama that the Cahaba River of Alabama and other portions of our environment be protected for the enjoyment and use of future generations in our State;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we urge passage of HR 2307 designating the Cahaba River for potential addition to the National Wild and Scenic Rivers System, and support efforts to preserve and protect the Cahaba River in its entirety;

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to members of the Alabama Congressional Delegation, and to the Chairman of the U. S. House Interior Committee.

The resolution, H. J. R. 90, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Kinsey and Benton:

H. J. R. 91. NAMING STATE HIGHWAY 59 IN BALDWIN COUNTY "GULF SHORES PARKWAY".

WHEREAS State Highway 59 located in Baldwin County is a principal inland access to Gulf Shores, the Gulf State Park and the many other tourist attractions of that area; and

WHEREAS such highway runs from Interstate Highway 65 to connect to Gulf Beach Highway (State Highway 182) it is considered appropriate to designate such highway as "Gulf Shores Parkway", now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That State Highway 59 located in Baldwin County running south from Interstate Highway 65 to the Gulf Beach Highway (State Highway 182) is hereby designated as "Gulf Shores Parkway" and the State Highway Department shall cause appropriate signs and markers to be erected along said highway.

The resolution, H. J. R. 91, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. McCluskey and Smith (P):

H. J. R. 92. SALUTE TO MALCOLM FANCHER AS NEWLY ELECTED PRESIDENT OF ALABAMA JAYCEES.

WHEREAS, Malcolm Fancher of Sylacauga, Alabama was recently elected State president of the Jaycees of Alabama; and

WHEREAS, said election was the result of diligent service not only to the Jaycees of Sylacauga, for whom he has held every elected office, but to the Jaycees of the United States while he acted as a U. S. Jaycees Director; and

WHEREAS, Mr. Fancher, as a member of the First Baptist Church of Sylacauga, and an employee of Kimberly-Clark Corp., will continue to serve his community and state with the zeal that has earned him this position; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Mr. Malcolm Fancher is con-

gratulated by the members of this legislature for his newly acquired position, as they wish him well in his leadership of the Alabama Jaycees.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Mr. Fancher and members of his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 92, on the Clerk's desk for one legislative day.

Also:

By Messrs. McCluskey and Smith (P):

H. J. R. 93. COMMENDING THE GREATER TALLADEGA AREA CHAMBER OF COMMERCE FOR BEING AWARDED THE 1972 KEEP ALABAMA BEAUTIFUL AND LIVABLE AWARD.

WHEREAS, the Greater Talladega area Chamber of Commerce began a cleanup campaign by preparing a slide presentation showing the extensive littering and garbage problems of the city. The program was shown 25 times to over 1,000 people with dramatic results. The campaign was continued by instituting a containerized garbage system for commercial areas and a bagging system for residential areas. All vacant lots in the city were inventoried and reported to the Health Department for legal action. A temporary cleanup crew was hired to clean up litter from the streets. A poster campaign was conducted in the schools. Five downtown cleanup days were held during the spring. A program to raise the awareness of litterers was instituted under the name "Operation R. A. P." (Report a polluter), whereby anyone seeing a litterer call the Chamber of Commerce which sent a letter to the offender informing him of the consequences of the action if taken to court. A master plan of painting and repairing is being prepared and numerous planters have been placed in the downtown area; and

WHEREAS, for such programs, the Greater Talladega Area Chamber of Commerce was awarded the 1972 Keep Alabama Beautiful and Livable Award for Cities and Counties having populations of under 50,000.

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING That this Legislature express its congratulations to the Talladega Area Chamber of Commerce and further commend that body for the concern and energy given in service to the Talladega Area Community and to this state.

BE IT FURTHER RESOLVED That the Clerk of the House cause to be sent a copy of this resolution to the Greater Talladega Chamber of Commerce.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 93, on the Clerk's desk for one legislative day.

Also:

By Messrs. Stubbs, Headley and Wynot:

H. J. R. 94. IN APPRECIATION OF THE SERVICE TO EDUCATION OF M. D. THORNTON OF MONTEVALLO.

WHEREAS, Mr. M. D. Thornton has rendered 41 years of outstanding and continuous service to the education of the youth of this state and to the field of education; and

WHEREAS, Mr. Thornton received his B.S. and M.S. degrees, and the AA certification from Auburn University in the field of Agricultural Education; and

WHEREAS, the service rendered by Mr. Thornton has included serving as vice president and president of the Lauderdale County Teachers' Association, Shelby County Teachers' Association, Alabama Vocational Agriculture Teachers' Association, Alabama Vocational Association and also as secretary of the Alabama Vocational Agricultural Teachers' Association for 13 years, working with legislative planning and information at both the county and state level for AEA and AVA for over 20 years, serving on the AEA State Legislative Committee for 4 years, serving as the Shelby County Legislative Chairman, serving on the Education Study Commission, and the Alabama Association for Curriculum Development; and

WHEREAS, Mr. Thornton is a member of the Alabama Education Association, the National Education Association, a Life Member of the American Vocational Association, and National Vocational Agriculture Teachers' Association; and

WHEREAS, Mr. Thornton is also a member of various civic and fraternal organizations including the Rotary Club, Phi Delta Kappa, the Masonic Order, Lodge 613, and the Montevallo Chamber of Commerce where he has served as secretary for 6 years; and

WHEREAS, Mr. Thornton has received numerous awards and honors over his distinguished career including Honorary State Farmer in FFA, Honorary American Farmer in FFA, the Thor Research Center Award, Harvestone Outstanding Teacher Award, and the Alabama and National Vocational Agriculture Teachers' Special Service Awards.

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That Mr. M. D. Thornton be commended for his years of service to the youth of this state and to the field of education and further that this Legislature express its sincere appreciation to Mr. Thornton for his outstanding service to his community, his profession, and to his state.

BE IT FURTHER RESOLVED That the Clerk of the House cause a copy of this resolution to be sent to Mr. Thornton.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 94, on the Clerk's desk for one legislative day.

RECESS

The Speaker declared the House in recess until 4:00 o'clock p.m.

HOUSE RECONVENED

The hour of 4:00 o'clock p.m. having arrived, the Speaker called the House to order.

REGULAR SESSION
10th Day

863

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business.

And the bill:

H. 322. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1974, and September 30, 1975.

As amended on the ninth legislative day, was taken up.

Mr. Lyons offered the following amendment #1 to the bill, H. 322 as amended:

In Section 4, Paragraph T strike 11,710,297.00 and insert the following: 11,760,000.00 and strike 12,190,708.00 and insert the following: 12,760,000

In Section 32, Paragraph (5) strike 1,000,000.00 and insert the following: 1,400,000.00

And the amendment was adopted.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson	Reynolds
Adams	Dill	Jones (F)	Roberts
Adwell	Doss	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Mims	Turnham
Carter	Grey (D)	Naramore	Waggoner
Chesnut	Hale	Nettles	Waldrop
Collins	Hardin	O'Daniel	Wallace
Connell	Harris	Owens	Warren
Coshatt	Headley	Parker	Weeks
Cottingham	Hearn	Perloff	Williams
Crawford	Hill	Porter	Wise
Cross	Hobbie	Pruitt	Wynot
Crowe	Hughes	Reid (R)	

—99

Mr. Lyons offered the following amendment #2 to the bill, H. 322 as amended:

Amend substitute House Bill 322 by adding to Section 20 the following:

"For the fiscal year ending September 30, 1974:

For operation and maintenance of
Highway Safety Program 100,000.00

10th Day

For the fiscal year ending September 30, 1975:

For operation and maintenance of Highway Safety Program	100,000.00"
--	-------------

And the amendment was adopted.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson	Reynolds
Adams	Dill	Jones (F)	Roberts
Adwell	Doss	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Drake	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Flippo	Manley	Therrell
Brassell	Gafford	Mathews	Timmons
Burgess	Goodwin	Meeks	Turner
Callahan	Grainger	Merrill	Turnham
Carnes	Gray (F)	Mims	Waggoner
Carter	Gray (D)	Naramore	Waldrop
Chesnut	Hale	Nettles	Wallace
Collins	Hardin	O'Daniel	Warren
Connell	Harris	Owens	Weeks
Coshatt	Headley	Parker	Williams
Cottingham	Hearn	Perloff	Wise
Crawford	Hill	Porter	Wood
Cross	Hobbie	Pruitt	Wynot
Crowe	Hughes	Reid (R)	—99

Mr. Lyons offered the following amendment #3 to the bill, H. 322 as amended:

Amend Section 4 of House Bill 322 as substituted by adding the following:

"U. George C. Wallace Jr. College, Selma, Alabama,
for library books and equipment, the sum of 75,000.00"

And the amendment was adopted.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cottingham	Erdreich
Adams	Brassell	Crawford	Falkenburg
Adwell	Burgess	Cross	Fite
Agee	Callahan	Culver	Flippo
Bank	Carnes	Dill	Gafford
Barkett	Carter	Doss	Goodwin
Barron	Cauthen	Downing	Grainger
Bassett	Chesnut	Drake	Gray (F)
Benton	Collins	Easters	Gray (D)
Boles	Connell	Edwards	Hale
Boutwell	Coshatt	Ellis	Hardin

REGULAR SESSION
10th Day

865

Harris	McMillan	Porter	Taylor
Headley	McNair	Pruitt	Therrell
Hearn	Manley	Reid (R)	Timmons
Hill	Mathews	Reynolds	Turner
Hobbie	May	Roberts	Turnham
Hughes	Meeks	Robertson	Waggoner
Jackson	Merrill	St. John	Waldrop
Jones (F)	Mims	Slate	Wallace
Kinsey	Naramore	Smith (K)	Warren
Lang	Nettles	Smith (P)	Weeks
Lutz	O'Daniel	Snell	Williams
McBride	Owens	Stewart	Wise
McCluskey	Parker	Stokes	Wood
McCorquodale	Perloff	Stubbs	Wynot
McDonald			

—101

Mr. Lyons offered the following amendment #4 to the bill, H. 322 as amended:

Amend House Bill 322 as substituted in Section 32 by inserting the following:

“(8) The State Board of
Education for Secondary Vocational Education:
For the fiscal year ending
September 30, 1974 1,103,464.00
For the fiscal year ending
September 30, 1975 2,206,927.00”

And the amendment was adopted.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reynolds
Adams	Dill	Kinsey	Roberts
Adwell	Doss	Lang	Robertson
Agee	Downing	Lutz	St. John
Bank	Drake	McBride	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Mims	Turnham
Carter	Grey (D)	Naramore	Waggoner
Casey	Hale	Nettles	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Porter	Wise
Crawford	Hobbie	Pruitt	Wood
Cross	Hughes	Reid (R)	Wynot
Crowe	Jackson		

—102

Mr. Lyons offered the following amendment #5 to the bill, H. 322 as amended:

Amend House Bill 322 as substituted in Section 4, paragraph J by adding the following:

"of the above appropriations contained herein in Section 4, paragraph J not more than the sum of \$150,000.00 for the fiscal year ending September 30, 1974, and not more than the sum of \$175,000.00 for the fiscal year ending September 30, 1975, may be used by the State Board of Education for administration of the state junior college program."

And the amendment was adopted.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reynolds
Adams	Culver	Jones (F)	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes	Reid (R)	

—103

Mr. Lyons offered the following amendment #6 to the bill, H. 322 as amended:

Amend House Bill 322 as substituted in Section 32 by deleting Item (6) in its entirety and substituting therefor the following:

"(6) Junior Colleges Equalization Account:

For the fiscal year ending
September 30, 1974 1,000,000.00

For the fiscal year ending
September 30, 1975 1,800,000.00"

And the amendment was adopted.

REGULAR SESSION
10th Day

867

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	Robertson
Agee	Drake	Lutz	St. John
Barkett	Easters	McBride	Slate
Barron	Edwards	McCluskey	Smith (K)
Bassett	Ellis	McCorquodale	Smith (P)
Benton	Erdreich	McDonald	Snell
Boles	Falkenburg	McMillan	Stewart
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Stubbs
Brassell	Gafford	Mathews	Taylor
Burgess	Goodwin	May	Therrell
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Chesnut	Hardin	Nettles	Waldrop
Collins	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hearn	Parker	Weeks
Cottingham	Hill	Perloff	Williams
Crawford	Hobbie	Porter	Wise
Cross	Hughes	Pruitt	Wood
Crowe	Jackson	Reid (R)	Wynot
Culver			

—101

Mr. Lyons offered the following amendment #7 to the bill, H. 322 as amended:

Amend substitute for House Bill 322, Section 32 by adding the following subsection (9):

“(9) University of Alabama—Huntsville Operation
and Maintenance 500,000.00”

And the amendment was adopted.

Yeas 98; Nays 2.

Yeas:

Mr. Speaker	Carter	Drake	Harris
Adams	Casey	Easters	Headley
Adwell	Cauthen	Edwards	Hearn
Agee	Chesnut	Ellis	Hill
Bank	Collins	Erdreich	Hobbie
Barkett	Connell	Falkenburg	Hughes
Barron	Coshatt	Fite	Jackson
Bassett	Cottingham	Flippo	King
Benton	Crawford	Gafford	Kinsey
Boles	Cross	Goodwin	Lutz
Boutwell	Crowe	Grainger	McBride
Bowers	Culver	Gray (F)	McCluskey
Brassell	Dill	Grey (D)	McCorquodale
Callahan	Doss	Hale	McDonald
Carnes	Downing	Hardin	McMillan

10th Day

McNair	Perloff	Smith (P)	Waggoner
Manley	Porter	Snell	Waldrop
Mathews	Pruitt	Stokes	Wallace
May	Reid (R)	Stubbs	Warren
Meeks	Reynolds	Taylor	Weeks
Naramore	Roberts	Therrell	Williams
Nettles	Robertson	Timmons	Wise
O'Daniel	St. John	Turner	Wood
Owens	Slate	Turnham	Wynot
Parker	Smith (K)		

—98

Nays: Messrs. Jones (F) and Lang.

—2

Mr. Lyons offered the following amendment #8 to the bill, H. 322 as amended:

Amend Section 26 of substitute House Bill 322 to read as follows:

"For the operation and maintenance of the
State Training School for Girls:

For the fiscal year ending
September 30, 1974 640,000.00

For the fiscal year ending
September 30, 1975 650,000.00"

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Culver	Jackson	Reynolds
Adwell	Dill	Jones (F)	Roberts
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McBride	Smith (K)
Bassett	Edwards	McCluskey	Smith (P)
Benton	Ellis	McCorquodale	Snell
Boles	Erdreich	McDonald	Stokes
Boutwell	Falkenburg	McMillan	Stubbs
Bowers	Fite	McNair	Taylor
Brassell	Flippo	Manley	Therrell
Burgess	Gafford	Mathews	Timmons
Callahan	Goodwin	May	Turner
Carnes	Grainger	Meeks	Turnham
Carter	Gray (F)	Merrill	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Chesnut	Hale	Nettles	Wallace
Collins	Hardin	O'Daniel	Warren
Connell	Harris	Owens	Weeks
Coshatt	Headley	Parker	Williams
Cottingham	Hearn	Perloff	Wise
Crawford	Hill	Porter	Wood
Cross	Hobbie	Pruitt	Wynot

—100

Mr. Lyons offered the following amendment #9 to the bill, H. 322 as amended:

REGULAR SESSION
10th Day

869

Amend Section 28 by adding under subsection B, sub-subsection 14 the following:

"To establish and operate a pilot program for the training of brain-injured children of Alabama at the Birmingham Training Center for Brain-Injured Children:

For the fiscal year ending
September 30, 1974 29,100.00

For the fiscal year ending
September 30, 1975 29,100.00"

And the amendment was adopted.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reynolds
Adams	Culver	Jackson	Roberts
Adwell	Dill	Jones (F)	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McBride	Smith (P)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stewart
Boles	Erdreich	McDonald	Stokes
Boutwell	Falkenburg	McMillan	Stubbs
Bowers	Fite	McNair	Taylor
Brassell	Flippo	Manley	Therrell
Burgess	Gafford	Mathews	Timmons
Callahan	Goodwin	May	Turner
Carnes	Grainger	Meeks	Turnham
Carter	Gray (F)	Merrill	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reid (R)	Wynot
Cross			

—101

Mr. Lyons offered the following amendment #10 to the bill, H. 322 as amended:

Amend Substitute to House Bill 322, Section 15 by striking the figures \$600,000.00 and inserting in lieu thereof the figures \$700,000.00.

And the amendment was adopted.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Brassell
Adams	Barkett	Boles	Burgess
Adwell	Barron	Boutwell	Callahan
Agee	Bassett	Bowers	Carnes

Carter	Gafford	McDonald	Smith (K)
Casey	Goodwin	McMillan	Smith (P)
Chesnut	Grainger	McNair	Snell
Collins	Gray (F)	Manley	Stewart
Connell	Grey (D)	Mathews	Stokes
Coshatt	Hale	May	Stubbs
Cottingham	Hardin	Meeks	Taylor
Crawford	Harris	Merrill	Therrell
Cross	Headley	Naramore	Timmons
Culver	Hearn	Nettles	Turner
Dill	Hill	O'Daniel	Turnham
Doss	Hobbie	Owens	Waggoner
Downing	Hughes	Parker	Waldrop
Drake	Jackson	Perloff	Wallace
Easters	Jones (F)	Porter	Warren
Edwards	Kinsey	Reid (R)	Weeks
Ellis	Lang	Reynolds	Williams
Erdreich	Lutz	Roberts	Wise
Falkenburg	McBride	Robertson	Wood
Fite	McCluskey	St. John	Wynot
Flipppo	McCorquodale	Slate	

—99

Mr. Lyons offered the following amendment #11 to the bill, H. 322 as amended:

Amend Substitute for H. B. 322, Section 6, Page 11, to read as follows:

“Section 6. Board of Trustees of
Alabama Boys’ Industrial School:

For the operation and maintenance of the
Alabama Boys’ Industrial School \$880,000.00”

And the amendment was adopted.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Connell	Gray (F)	Manley
Adams	Coshatt	Grey (D)	Mathews
Adwell	Cottingham	Hale	May
Agee	Crawford	Hardin	Meeks
Bank	Cross	Harris	Merrill
Barkett	Crowe	Headley	Naramore
Barron	Culver	Hearn	Nettles
Bassett	Dill	Hill	O'Daniel
Benton	Doss	Hobbie	Owens
Boles	Downing	Hughes	Parker
Boutwell	Drake	Jackson	Perloff
Bowers	Easters	Jones (F)	Porter
Brassell	Edwards	Kinsey	Reid (R)
Burgess	Ellis	Lang	Reynolds
Callahan	Erdreich	Lutz	Roberts
Carnes	Falkenburg	McBride	Robertson
Carter	Fite	McCluskey	St. John
Casey	Flipppo	McCorquodale	Slate
Cauthen	Gafford	McDonald	Smith (K)
Chesnut	Goodwin	McMillan	Smith (P)
Collins	Grainger	McNair	Snell

REGULAR SESSION
10th Day

871

Stewart	Timmons	Waldrop	Williams
Stokes	Turner	Wallace	Wise
Stubbs	Turnham	Warren	Wood
Taylor	Waggoner	Weeks	Wynot
Therrell			—101

Mr. Lyons offered the following amendment #12 to the bill, H. 322 as amended:

Amend the Substitute to H. B. 322 by striking therefrom the whole of Section 16 on page 15 of the bill and inserting in lieu thereof the following:

**"Section 16. BOARD OF TRUSTEES OF
JACKSONVILLE STATE
UNIVERSITY.**

For the fiscal year ending
September 30, 1974:

For operation and maintenance of the University	5,644,440.00
--	--------------

For School of Nursing Scholarships	18,000.00
(To be expended in accordance with Act No. 2288, 1971 Regular Session.)	

For Gadsden Program	138,903.00
---------------------------	------------

For the fiscal year ending
September 30, 1975:

For operation and maintenance of the University	5,862,826.00
--	--------------

For School of Nursing Scholarships	18,000.00
(To be expended in accordance with Act No. 2288, 1971 Regular Session.)	

For Gadsden Program	138,903.00
---------------------------	------------

And the amendment was adopted.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Carter	Edwards	Hill
Adams	Casey	Ellis	Hobbie
Adwell	Chesnut	Erdreich	Hughes
Agee	Collins	Falkenburg	Jackson
Bank	Connell	Fite	Jones (F)
Barkett	Coshatt	Flippo	Kinsey
Barron	Cottingham	Gafford	Lang
Bassett	Crawford	Goodwin	Lutz
Benton	Cross	Grainger	McBride
Boles	Crowe	Gray (F)	McCorquodale
Boutwell	Culver	Grey (D)	McDonald
Bowers	Dill	Hale	McMillan
Brassell	Doss	Hardin	McNair
Burgess	Downing	Harris	Manley
Callahan	Drake	Headley	Mathews
Carnes	Easters	Hearn	May

Meeks	Pruitt	Snell	Waggoner
Merrill	Reid (R)	Stewart	Waldrop
Naramore	Reynolds	Stokes	Wallace
Nettles	Roberts	Stubbs	Warren
O'Daniel	Robertson	Taylor	Weeks
Owens	St. John	Therrell	Williams
Parker	Slate	Timmons	Wise
Perloff	Smith (K)	Turner	Wood
Porter	Smith (P)	Turnham	Wynot

—100

Mr. Lyons offered the following amendment #13 to the bill, H. 322 as amended:

Amend Ways and Means Substitute for H. B. 322, Section 4, Subsection N following paragraph (B) so as to add new paragraph (C) as follows:

“(C) In addition to the appropriations hereinabove made to the Minimum Program there is hereby appropriated funds for two (2) days personal leave for each teacher earned under the Minimum Program formula to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave.

For the fiscal year ending
September 30, 1974 750,000

For the fiscal year ending
September 30, 1975 750,000”

MOTION TO TABLE LOST

The motion of Mr. Hardin to table the amendment #13 offered by Mr. Lyons to the bill, H. 322 as amended, was lost.

Yeas 18; Nays 77.

Yeas:

Messrs.:	Cottingham	Hardin	Stokes
Bassett	Crawford	Lang	Timmons
Boutwell	Dill	Parker	Turner
Collins	Downing	Pruitt	Wise
Connell	Gafford	Snell	

—18

Nays:

Mr. Speaker	Chesnut	Gray (F)	McCorquodale
Adams	Coshatt	Grey (D)	McMillan
Adwell	Cross	Hale	McNair
Agee	Crowe	Harris	Manley
Barkett	Doss	Headley	Mathews
Barron	Drake	Hearn	May
Benton	Easters	Hill	Merrill
Boles	Edwards	Hobbie	Nettles
Brassell	Ellis	Hughes	O'Daniel
Burgess	Erdreich	Jackson	Owens
Callahan	Falkenburg	Jones (F)	Perloff
Carnes	Fite	Kinsey	Porter
Carter	Flippo	Lutz	Reid (R)
Casey	Goodwin	McBride	Reynolds
Cauthen	Grainger	McCluskey	Roberts

REGULAR SESSION

873

10th Day

Robertson	Stubbs	Waggoner	Weeks
St. John	Taylor	Waldrop	Williams
Slate	Therrell	Wallace	Wood
Smith (K)	Turnham	Warren	Wynot
Smith (P)			

—77

MOTION TO POSTPONE LOST

The motion of Mr. Turnham to postpone temporarily consideration of the amendment #13 offered by Mr. Lyons to the bill, H. 322 as amended, was lost.

UNANIMOUS CONSENT GRANTED

At the request of Mr. King, unanimous consent was granted to have the Journal show that he was temporarily out of the House when the amendment #7 offered by Mr. Lyons to the bill, H. 322 as amended, was taken up for passage, and that had he been present he would have voted "yea".

AMENDMENT #13 ADOPTED

The question was then on the adoption of the amendment #13 offered by Mr. Lyons to the bill, H. 322 as amended, and the amendment was adopted.

Yeas 89; Nays 10.

Yeas:

Mr. Speaker	Culver	Jones (F)	Roberts
Adams	Doss	Kinsey	Robertson
Adwell	Downing	Lutz	St. John
Agee	Drake	McBride	Slate
Bank	Easters	McCluskey	Smith (K)
Barkett	Edwards	McCorquodale	Smith (P)
Barron	Ellis	McDonald	Stokes
Bassett	Erdreich	McMillan	Stubbs
Benton	Falkenburg	McNair	Taylor
Boles	Fite	Manley	Therrell
Bowers	Flippo	Mathews	Timmons
Brassell	Goodwin	May	Turner
Burgess	Grainger	Merrill	Turnham
Callahan	Gray (F)	Naramore	Waggoner
Callaan	Grey (D)	Nettles	Waldrop
Carnes	Hale	O'Daniel	Wallace
Carter	Harris	Owens	Warren
Casey	Headley	Parker	Weeks
Chesnut	Hearn	Perloff	Williams
Collins	Hill	Porter	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Jackson	Reynolds	Wynot
Cross			
Crowe			

—89

Nays:

Messrs.:	Connell	Gafford	Lang
Boutwell	Crawford	Hardin	Snell
Cauthen	Dill	Hughes	

—10

Mr. Lyons offered the following amendment #14 to the bill, H. 322 as amended:

Amend substitute for House Bill 322, Section N (b) on page 7 in line two of fourth paragraph following comma insert the words "and all other normal increments due,"

And the amendment was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reid (R)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	Jones (F)	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lang	St. John
Barron	Easters	Lutz	Slate
Bassett	Edwards	McBride	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stokes
Bowers	Fite	McMillan	Stubbs
Brassell	Flippo	McNair	Taylor
Burgess	Gafford	Manley	Therrell
Callahan	Goodwin	Mathews	Timmons
Carnes	Grainger	May	Turner
Carter	Gray (F)	Meeks	Turnham
Casey	Grey (D)	Merrill	Waggoner
Chesnut	Hale	Naramore	Waldrop
Collins	Hardin	Nettles	Wallace
Connell	Harris	O'Daniel	Warren
Coshatt	Headley	Owens	Weeks
Cottingham	Hearn	Parker	Williams
Crawford	Hill	Perloff	Wise
Cross	Hobbie	Porter	Wynot
Crowe			

—97

Mr. Lyons offered the following amendment #15 to the bill, H. 322 as amended:

Amend Substitute to H. B. 322, Section 4, Paragraph T by adding the following:

"of the above appropriations contained herein in Section 4, Paragraph T not more than the sum of \$150,000.00 for the fiscal year ending September 30, 1974, and not more than the sum of \$175,000.00 for the fiscal year ending September 30, 1975, may be used by the State Board of Education for administration of the state vocational technical school program."

And the amendment was adopted.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Bassett	Burgess	Chesnut
Adams	Benton	Callahan	Collins
Adwell	Boles	Carnes	Connell
Agee	Boutwell	Carter	Coshatt
Bank	Bowers	Casey	Crawford
Barkett	Brassell	Cauthen	Cross

REGULAR SESSION
10th Day

875

Crowe	Hardin	Mathews	Smith (K)
Culver	Harris	May	Smith (P)
Dill	Headley	Meeks	Snell
Doss	Hearn	Merrill	Stokes
Downing	Hill	Naramore	Stubbs
Drake	Hobbie	Nettles	Taylor
Easters	Hughes	O'Daniel	Therrell
Edwards	Jackson	Owens	Timmons
Ellis	Jones (F)	Parker	Turner
Erdreich	Kinsey	Perloff	Turnham
Falkenburg	Lang	Porter	Waggoner
Fite	Lutz	Pruitt	Waldron
Flippo	McBride	Reid (R)	Wallace
Gafford	McCluskey	Reynolds	Warren
Goodwin	McCorquodale	Roberts	Weeks
Grainger	McDonald	Robertson	Williams
Gray (F)	McMillan	St. John	Wise
Grey (D)	McNair	Slate	Wynot
Hale	Manley		

—98

Mr. Lyons offered the following amendment #16 to the bill, H. 322 as amended:

Amend Substitute H. B. 322 by deleting therefrom paragraph (3) of that portion of Subsection B of Section 28 pertaining to the fiscal year ending September 30, 1974, and inserting in lieu thereof the following:

“(3) For Diabetes Clinic:
For operation and maintenance \$200,000.00

To further amend Substitute H. B. 322 by deleting therefrom paragraph (3) of that portion of Subsection B of Section 28 pertaining to the fiscal year ending September 30, 1975, and inserting in lieu thereof the following:

“(3) For Diabetes Clinic:
For operation and maintenance \$200,000.00

And the amendment was adopted.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Falkenburg	Kinsey
Adams	Chesnut	Fite	Lang
Adwell	Collins	Flippo	Lutz
Agee	Connell	Gafford	McBride
Bank	Coshatt	Goodwin	McCluskey
Barkett	Cottingham	Grainger	McCorquodale
Barron	Crawford	Gray (F)	McDonald
Bassett	Cross	Grey (D)	McMillan
Benton	Crowe	Hale	McNair
Boles	Culver	Hardin	Manley
Boutwell	Dill	Harris	Mathews
Bowers	Doss	Headley	May
Brassell	Downing	Hearn	Meeks
Burgess	Drake	Hill	Merrill
Callahan	Easters	Hobbie	Mims
Carnes	Edwards	Hughes	Naramore
Carter	Ellis	Jackson	Nettles
Casey	Erdreich	Jones (F)	O'Daniel

Owens	St. John	Taylor	Wallace
Parker	Slate	Therrell	Warren
Perloff	Smith (K)	Timmons	Weeks
Porter	Smith (P)	Turner	Williams
Reid (R)	Snell	Turnham	Wise
Reynolds	Stokes	Waggoner	Wood
Roberts	Stubbs	Waldrop	Wynot
Robertson			

—101

Mr. Lyons offered the following amendment #17 to the bill, H. 322 as amended:

Amend H. B. 322, Section 14 by deleting the following:

"For salaries	150,000.00	
For other expenses	144,500.00	
For equipment purchases	5,500.00	
Total		300,000.00"

And insert in lieu thereof the following:

"Operation and Maintenance

Absolute	300,000.00	
Total		300,000.00"

And the amendment was adopted.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Cross	Hobbie	Reynolds
Adams	Crowe	Hughes	Roberts
Adwell	Culver	Jackson	Robertson
Agee	Dill	Jones (F)	St. John
Bank	Doss	Kinsey	Slate
Barkett	Downing	Lang	Smith (K)
Barron	Drake	Lutz	Smith (P)
Bassett	Easters	McBride	Snell
Benton	Edwards	McCluskey	Stokes
Boles	Ellis	McCorquodale	Stubbs
Boutwell	Erdreich	McDonald	Taylor
Bowers	Falkenburg	McMillan	Therrell
Brassell	Fite	McNair	Timmons
Burgess	Flippo	Manley	Turner
Callahan	Gafford	Mathews	Turnham
Carnes	Goodwin	Meeks	Waggoner
Carter	Grainger	Merrill	Waldrop
Casey	Gray (F)	Naramore	Wallace
Cauthen	Grey (D)	Nettles	Warren
Chesnut	Hale	O'Daniel	Weeks
Collins	Hardin	Owens	Williams
Connell	Harris	Parker	Wise
Coshatt	Headley	Perloff	Wood
Cottingham	Hearn	Porter	Wynot
Crawford	Hill	Reid (R)	

—99

REGULAR SESSION
10th Day

877

Mr. Lyons offered the following amendment #18 to the bill, H. 322 as amended:

Amend H. B. 322, Section 27 by deleting the following:

"For the fiscal year ending
September 30, 1974 4,035,008.00

For the fiscal year ending
September 30, 1975 4,177,931.00

For operation and maintenance at
Maxwell Air Force Branch 150,000.00

For operation and maintenance at
Fort Rucker Branch 150,000.00"

And insert in lieu thereof the following:

"For the fiscal year ending
September 30, 1974 4,335,008.00

For the fiscal year ending
September 30, 1975 4,477,931.00"

And the amendment was adopted.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reynolds
Adwell	Culver	Jackson	Roberts
Agee	Dill	Jones (F)	Robertson
Bank	Doss	Kinsey	St. John
Barkett	Downing	Lang	Slate
Barron	Drake	Lutz	Smith (K)
Bassett	Easters	McBride	Smith (P)
Benton	Edwards	McCluskey	Snell
Boles	Ellis	McCorquodale	Stokes
Boutwell	Erdreich	McDonald	Stubbs
Bowers	Falkenburg	McMillan	Taylor
Brassell	Fite	McNair	Therrell
Burgess	Flippo	Manley	Timmons
Callahan	Gafford	Mathews	Turner
Carnes	Goodwin	Meeks	Turnham
Carter	Grainger	Merrill	Waggoner
Casey	Gray (F)	Naramore	Waldrop
Cauthen	Grey (D)	Nettles	Wallace
Chesnut	Hale	O'Daniel	Warren
Collins	Hardin	Owens	Weeks
Connell	Harris	Parker	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot
Cross	Hobbie	Reid (R)	

—99

Mr. Lyons offered the following amendment #19 to the bill, H. 322 as amended:

In Section 32 (1) strike out the following words and figures:

(1) Auburn University

Operation and Maintenance 700,000.00"

and insert in lieu thereof the following words and figures:

(1) Auburn University

(a) Operation and maintenance 700,000.00

(b) Alabama Agriculture Experiment
Station at Auburn for work and
experimentation in Agriculture
Research as provided for in
Section 5 (c) for the Alabama
Cooperative Wildlife Research Unit 50,000.00

And the amendment was adopted.

Yeas 101; Nays 1.

Yeas:

Mr. Speaker	Crowe	Hughes	Pruitt
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Smith (K)
Bassett	Edwards	McCluskey	Smith (P)
Benton	Ellis	McCorquodale	Snell
Boles	Erdreich	McDonald	Stokes
Boutwell	Falkenburg	McMillan	Stubbs
Bowers	Fite	McNair	Taylor
Brassell	Flippo	Manley	Therrell
Burgess	Gafford	Mathews	Timmons
Callahan	Goodwin	May	Turner
Carnes	Grainger	Meeks	Turnham
Carter	Gray (F)	Merrill	Waggoner
Casey	Gray (D)	Mims	Waldrop
Cauthen	Hale	Naramore	Wallace
Chesnut	Hardin	Nettles	Warren
Collins	Harris	O'Daniel	Weeks
Connell	Headley	Owens	Williams
Coshatt	Hearn	Parker	Wise
Cottingham	Hill	Perloff	Wood
Crawford	Hobbie	Porter	Wynot
Cross			—101

Nay: Mr. Slate.

—1

Mr. Lyons offered the following amendment #20 to the bill, H. 322 as amended:

Amend House Bill 322 by deleting Section 0 in its entirety and substituting in lieu thereof the following:

- O. Minimum Program account:
Trainable Retarded Children,

REGULAR SESSION
10th Day

879

For the fiscal year ending
September 30, 1974:

For salaries	84,200.00	
For other expenses	7,330.00	
For distribution to Local Board	433,470.00	
For Special Education	360,000.00	
Total		885,000.00

For the fiscal year ending
September 30, 1975:

For salaries	89,120.00	
For other expenses	8,063.00	
For distribution to Local Boards	441,817.00	
For Special Education	396,000.00	
Total		935,000.00

The appropriation hereinabove made for salaries and other expenses shall be expended by the State Board of Education for the cost incurred by the State Department of Education in the administration of this program. The appropriation hereinabove made for disbursement to local boards shall be used for the education and training of trainable retarded children and shall include the operation and maintenance of classrooms, classes, transportation of trainable retarded pupils where justified, and compensation of teachers in accordance with Act No. 67, approved June 27, 1963, in accordance with the regulations of the State Board of Education and in accordance with Act No. 249, approved August 16, 1955. The appropriation for Special Education is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.

And the amendment was adopted.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Grey (D)	Mathews
Adams	Cottingham	Hale	May
Adwell	Crawford	Hardin	Meeks
Agee	Cross	Harris	Merrill
Bank	Crowe	Headley	Mims
Barkett	Culver	Hearn	Naramore
Barron	Dill	Hill	Nettles
Bassett	Doss	Hobbie	O'Daniel
Benton	Downing	Hughes	Owens
Boles	Drake	Jackson	Parker
Boutwell	Easters	Jones (F)	Perloff
Bowers	Edwards	Kinsey	Porter
Brassell	Ellis	Lang	Pruitt
Burgess	Erdreich	Lutz	Reid (R)
Callahan	Falkenburg	McBride	Reynolds
Carnes	Fite	McCluskey	Roberts
Carter	Flipppo	McCorquodale	Robertson
Casey	Gafford	McDonald	St. John
Cauthen	Goodwin	McMillan	Slate
Chesnut	Grainger	McNair	Smith (K)
Connell	Gray (F)	Manley	Smith (P)

Snell	Timmons	Waldrop	Williams
Stokes	Turner	Wallace	Wise
Stubbs	Turnham	Warren	Wood
Taylor	Waggoner	Weeks	Wynot
Therrell			

—101

Mr. Lyons offered the following amendment #21 to the bill, H. 322 as amended:

Amend Section 4, I of Substitute to H. B. 322 by striking the figure \$120,000.00 and inserting in lieu thereof the figure \$225,000.00 and change the figure \$126,000.00 to \$225,000.00.

And the amendment was adopted.

Yeas 96; Nays 5.

Yeas:

Mr. Speaker	Crowe	Hobbie	Pruitt
Adams	Culver	Hughes	Reid (R)
Adwell	Dill	Jackson	Reynolds
Agee	Doss	Jones (F)	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lang	St. John
Bassett	Easters	McBride	Smith (K)
Benton	Edwards	McCluskey	Smith (P)
Boles	Ellis	McCorquodale	Snell
Boutwell	Erdreich	McDonald	Stokes
Bowers	Falkenburg	McMillan	Stubbs
Brassell	Fite	McNair	Taylor
Burgess	Flippo	Manley	Therrell
Callahan	Gafford	Mathews	Timmons
Carnes	Goodwin	May	Turner
Carter	Grainger	Meeks	Waggoner
Casey	Gray (F)	Merrill	Waldrop
Chesnut	Grey (D)	Naramore	Wallace
Collins	Hale	Nettles	Warren
Connell	Hardin	O'Daniel	Weeks
Coshatt	Harris	Owens	Williams
Cottingham	Headley	Parker	Wise
Crawford	Hearn	Perloff	Wood
Cross	Hill	Porter	Wynot

—96

Nays:

Messrs.:	Cauthen	Slate	Turnham
Barron	Lutz		

—5

Mr. Lyons offered the following amendment #22 to the bill, H. 322 as amended:

In paragraph (a) of Section 7 of the bill, strike out the numbers "2,082,890.00" following For the fiscal year ending September 30, 1974 and insert in lieu thereof "2,144,431.00".

Also in paragraph (a) of Section 7 of the bill, strike out the numbers "2,173,136.00" following For the fiscal year ending September 30, 1975 and insert in lieu thereof "2,189,928.00".

REGULAR SESSION
10th Day

881

And the amendment was adopted.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Adwell	Dill	Kinsey	Roberts
Agee	Doss	Lang	Robertson
Bank	Downing	Lutz	St. John
Barkett	Drake	McBride	Slate
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

Mr. Lyons offered the following amendment #23 to the bill, H. 322 as amended:

In paragraph (b) of Section 7 of the bill, strike out the numbers "814,256.00" following For the fiscal year ending September 30, 1974 and insert in lieu thereof "858,285.50".

Also, in paragraph (b) of Section 7 of the bill, strike out the numbers "586,666.00" following For the fiscal year ending September 30, 1975 and insert in lieu thereof "630,695.50".

And the amendment was adopted.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Falkenburg
Adams	Burgess	Cross	Fite
Adwell	Callahan	Crowe	Flippo
Agee	Carnes	Culver	Gafford
Bank	Carter	Dill	Goodwin
Barkett	Casey	Doss	Grainger
Barron	Cauthen	Downing	Gray (F)
Bassett	Chesnut	Drake	Grey (D)
Benton	Collins	Easters	Hale
Boles	Connell	Edwards	Hardin
Boutwell	Coshatt	Ellis	Harris
Bowers	Cottingham	Erdreich	Headley

Hearn	McNair	Pruitt	Therrell
Hill	Manley	Reid (R)	Timmons
Hobbie	Mathews	Reynolds	Turner
Hughes	May	Roberts	Turnham
Jackson	Meeks	Robertson	Waggoner
Jones (F)	Merrill	St. John	Waldrop
Kinsey	Naramore	Slate	Wallace
Lang	Nettles	Smith (K)	Warren
Lutz	O'Daniel	Smith (P)	Weeks
McBride	Owens	Snell	Williams
McCluskey	Parker	Stokes	Wise
McCorquodale	Perloff	Stubbs	Wood
McDonald	Porter	Taylor	Wynot
McMillan			

—101

Mr. Lyons offered the following amendment #24 to the bill, H. 322 as amended:

Amend Section 4, Paragraph S by adding "(c)", on pages 8 and 9 of Substitute for H. B. 322 to read as follows:

"The vocational teacher units distributed from the appropriation hereinabove for the Biennium shall be disbursed or obligated during the specified fiscal year in accordance with a formula adopted by the State Board of Education. The total number of vocational teacher units allocated to each County and City Board of Education from the hereinabove appropriations when combined with Federal Vocational Funds shall be at least equal to the number received by the respective board during the preceding fiscal year; and in addition thereto, a sum equal to the percentage equivalency provided for in the minimum program salary increase contained in Section 4, Paragraph N (b) shall be allocated to the respective Boards of Education for each vocational teacher unit. In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his prorata share of vocational teacher units under the adopted State Board of Education formula.

Any vocational teacher units supported through the appropriation hereinabove in excess of the preceding fiscal year's distribution shall be allocated by priorities to those boards that have less than their entitlement.

And the amendment was adopted.

Yeas 97; Nays 2.

Yeas:

Mr. Speaker	Carnes	Doss	Hale
Adwell	Carter	Downing	Hardin
Agee	Casey	Drake	Harris
Bank	Cauthen	Easters	Headley
Barkett	Chesnut	Edwards	Hearn
Barron	Collins	Ellis	Hill
Bassett	Connell	Erdreich	Hobbie
Benton	Coshatt	Falkenburg	Hughes
Boles	Cottingham	Fite	Jackson
Boutwell	Crawford	Flippo	Jones (F)
Bowers	Cross	Gafford	Kinsey
Brassell	Crowe	Goodwin	Lang
Burgess	Culver	Gray (F)	McBride
Callahan	Dill	Grey (D)	McCluskey

REGULAR SESSION
10th Day

883

McCorquodale	O'Daniel	Slate	Turnham
McDonald	Owens	Smith (K)	Waggoner
McMillan	Parker	Smith (P)	Waldrop
McNair	Perloff	Snell	Wallace
Manley	Porter	Stokes	Warren
Mathews	Reid (R)	Stubbs	Weeks
May	Reynolds	Taylor	Williams
Meeks	Roberts	Therrell	Wise
Merrill	Robertson	Timmons	Wood
Naramore	St. John	Turner	Wynot
Nettles			

—97

Nays: Messrs. Grainger and Lutz.

—2

MOTION TO ADJOURN LOST

The motion of Mr. Adwell that the House adjourn until 11:00 o'clock a.m., Thursday, June 14, 1973, was lost.

Yeas 6; *Nays* 85.

Yeas:

Messrs.:	Boles	Crowe	Weeks
Adwell	Cauthen	Naramore	

—6

Nays:

Mr. Speaker	Doss	Jones (F)	Reynolds
Adams	Downing	Kinsey	Roberts
Agee	Drake	Lutz	Robertson
Barkett	Easters	McBride	St. John
Barron	Edwards	McCluskey	Slate
Bassett	Ellis	McCorquodale	Smith (K)
Boutwell	Fite	McDonald	Smith (P)
Bowers	Flippo	McMillan	Snell
Brassell	Gafford	McNair	Stokes
Burgess	Goodwin	Mathews	Stubbs
Callahan	Grainger	May	Therrell
Carnes	Gray (F)	Meeks	Turner
Carter	Grey (D)	Merrill	Turnham
Casey	Hardin	Mims	Waggoner
Chesnut	Harris	Nettles	Waldrop
Collins	Headley	O'Daniel	Wallace
Connell	Hearn	Owens	Warren
Coshatt	Hill	Parker	Williams
Cottingham	Hobbie	Porter	Wise
Cross	Hughes	Pruitt	Wood
Culver	Jackson	Reid (R)	Wynot
Dill			

—85

H. 322 RESUMED

Mr. Mims offered the following amendment to the bill, H. 322 as amended:

Amend Substitute for Ways and Means Committee Substitute as amended to H. B. 322, Section 4, Subsection T, page 9, by adding at the end thereof the following paragraph:

"It is provided that beginning with the fiscal year 1973-74 that in addition to the salary now received and any normal increments due, professional,

certified teaching, supervisory and administrative personnel covered by the State Vocational Technical School Equalization Account shall receive a salary increase equal to the percentage equivalency for the Rank III, Rank II, Rank I, and Rank AA provided for in the minimum program salary increase contained in Section 4, Paragraph N (b)."

MOTION TO TABLE LOST

The motion of Mr. Lyons to table the amendment offered by Mr. Mims to the bill, H. 322 as amended, was lost.

Yeas 42; Nays 48.

Yeas:

Mr. Speaker	Culver	Hearn	Parker
Adams	Dill	Hill	Porter
Bassett	Doss	Hughes	Pruitt
Benton	Downing	Jackson	Reynolds
Boutwell	Drake	Kinsey	St. John
Brassell	Fite	McCorquodale	Turner
Callahan	Flippo	McDonald	Turnham
Carter	Grainger	Manley	Waggoner
Casey	Grey (D)	Mathews	Williams
Cauthen	Hardin	Meeks	Wise
Cottingham	Harris		

—42

Nays:

Messrs.:	Edwards	McMillan	Smith (K)
Agee	Ellis	McNair	Snell
Barkett	Erdreich	May	Stokes
Barron	Falkenburg	Merrill	Stubbs
Boles	Goodwin	Mims	Taylor
Bowers	Gray (F)	Naramore	Therrell
Burgess	Hale	Nettles	Waldrop
Carnes	Hobbie	Perloff	Wallace
Chesnut	Jones (F)	Reid (R)	Warren
Connell	Lang	Roberts	Weeks
Coshatt	Lutz	Robertson	Wood
Cross	McBride	Slate	Wynot
Crowe			

—48

The question was then on the adoption of the amendment offered by Mr. Mims to the bill, H. 322 as amended, and the amendment was adopted.

Yeas 66; Nays 27.

Yeas:

Messrs.:	Casey	Ellis	Jackson
Agee	Chesnut	Erdreich	Jones (F)
Bank	Connell	Falkenburg	Lang
Barkett	Coshatt	Fite	Lutz
Barron	Cottingham	Flippo	McBride
Benton	Crawford	Goodwin	McMillan
Boles	Cross	Gray (F)	McNair
Bowers	Crowe	Hale	May
Burgess	Drake	Headley	Merrill
Callahan	Easters	Hill	Mims
Carnes	Edwards	Hobbie	Naramore

REGULAR SESSION
10th Day

885

Nettles	St. John	Taylor	Warren
Owens	Smith (K)	Therrell	Weeks
Perloff	Smith (P)	Turner	Williams
Reid (R)	Snell	Waggoner	Wood
Roberts	Stokes	Waldrop	Wynot
Robertson	Stubbs	Wallace	

—66

Nays:

Mr. Speaker	Culver	Harris	Porter
Adams	Dill	Hearn	Pruitt
Bassett	Doss	Hughes	Reynolds
Boutwell	Downing	Kinsey	Slate
Brassell	Grainger	McCorquodale	Turnham
Carter	Grey (D)	McDonald	Wise
Cauthen	Hardin	Meeks	

—27

Messrs. Carnes and Chesnut offered the following amendment #1 to the bill, H. 322 as amended:

Amend Substitute for Ways and Means Substitute (as amended) for H. B. 322, Section 4, Subsection N, following paragraph (c) so as to add the following new paragraph:

(d) It is provided that from the appropriation hereinabove made in (a) the State Board of Education shall each fiscal year allocate and pay from said appropriation to local boards of education to be transmitted to the schools within each system one hundred dollars (\$100.00) per teacher (excluding teacher units allocated for exceptional children). The said funds shall be used for the purchase of materials, supplies and equipment.

AMENDMENT TABLED

On motion of Mr. Lyons, the amendment #1 offered by Messrs. Carnes and Cauthen to the bill, H. 322 as amended, was tabled.

Yeas 66; Nays 21.

Yeas:

Mr. Speaker	Cross	Hill	Reynolds
Adams	Culver	Hobbie	Roberts
Adwell	Dill	Hughes	St. John
Bank	Doss	Jackson	Slate
Barkett	Downing	Kinsey	Smith (P)
Barron	Drake	McCluskey	Snell
Bassett	Easters	McCorquodale	Stubbs
Boutwell	Edwards	McDonald	Taylor
Brassell	Fite	Manley	Timmons
Burgess	Flippo	Mathews	Turner
Callahan	Gafford	May	Turnham
Carter	Goodwin	Merrill	Waggoner
Casey	Grainger	Nettles	Wallace
Cauthen	Hale	Owens	Warren
Collins	Harris	Parker	Williams
Connell	Headley	Pruitt	Wise
Cottingham	Hearn		

—66

Nays:

Messrs.:	Crowe	Meeks	Stokes
Agee	Jones (F)	Naramore	Therrell
Benton	Lang	Perloff	Waldrop
Bowers	McBride	Robertson	Wood
Carnes	McMillan	Smith (K)	Wynot
Chesnut	McNair		

—21

Messrs. Carnes and Chesnut offered the following amendment #2 to the bill, H. 322 as amended:

Amend Substitute for Ways and Means Substitute (as amended) for H. B. 322, Section 4, Subsection N, following paragraph (c) so as to add the following new paragraph:

(d) It is provided that from the appropriation herein above made in (a) the State Board of Education shall each fiscal year allocate and pay from said appropriation to local boards of education to be transmitted to the schools within each system \$50.00 per teacher (excluding teacher units allocated for exceptional children). The said funds shall be used for the purchase of materials, supplies and equipment.

AMENDMENT TABLED

On motion of Mr. Lyons, the amendment #2 offered by Messrs. Carnes and Chesnut to the bill, H. 322 as amended, was tabled.

Yeas 62; Nays 22.

Yeas:

Mr. Speaker	Cross	Hearn	Reid (R)
Adams	Culver	Hill	Reynolds
Adwell	Dill	Hobbie	Roberts
Bank	Doss	Hughes	St. John
Barkett	Downing	Jackson	Slate
Barron	Drake	McCluskey	Snell
Bassett	Easters	McCorquodale	Stubbs
Boutwell	Edwards	McDonald	Taylor
Brassell	Fite	Manley	Timmons
Burgess	Flippo	Mathews	Turner
Callahan	Gafford	May	Turnham
Carter	Goodwin	Merrill	Waggoner
Casey	Grainger	Nettles	Warren
Cauthen	Grey (D)	Owens	Williams
Collins	Hale	Pruitt	Wise
Connell	Harris		

—62

Nays:

Messrs.:	Cottingham	Meeks	Stokes
Agee	Crowe	Naramore	Therrell
Benton	Jones (F)	Perloff	Waldrop
Boles	Lutz	Porter	Wood
Carnes	McBride	Robertson	Wynot
Chesnut	McNair	Smith (K)	

—22

Mr. McBride offered the following amendment #1 to the bill, H. 322 as amended:

Amend Substitute for Ways and Means Committee Substitute, as amended to H. B. 322, Section 4, Subsection J (page 5) by adding at the end thereof the following paragraph:

"Each professional, certified teaching, supervisory, and administrative employee shall receive one hundred twenty-four dollars (\$124) per annum for hospital-medical insurance. These funds shall be made available by allotment from the Junior College Equalization Account by the State Board of Education to the institutions with a majority of the professional employees selecting the plan(s) and the carrier(s) of the hospital-medical insurance for that institution."

AMENDMENT TABLED

On motion of Mr. Lyons, the amendment #1 offered by Mr. McBride to the bill, H. 322 as amended, was tabled.

Yeas 59; Nays 27.

Yeas:

Mr. Speaker	Downing	Hughes	Reid (R)
Adams	Drake	Jones (F)	Reynolds
Agee	Easters	Kinsey	St. John
Bassett	Fite	McCorquodale	Slate
Boles	Flippo	McNair	Smith (K)
Boutwell	Gafford	Manley	Snell
Brassell	Goodwin	Mathews	Taylor
Callahan	Grainger	May	Timmons
Casey	Grey (D)	Merrill	Turner
Cauthen	Hale	Naramore	Turnham
Collins	Hardin	Nettles	Wallace
Connell	Harris	Owens	Williams
Crowe	Headley	Parker	Wise
Culver	Hearn	Porter	Wood
Dill	Hill	Pruitt	

—59

Nays:

Messrs.:	Coshatt	Gray (F)	Roberts
Barron	Cottingham	Lutz	Robertson
Benton	Cross	McBride	Stokes
Burgess	Doss	McDonald	Therrell
Carnes	Ellis	McMillan	Waldrop
Carter	Erdreich	Mims	Warren
Chesnut	Falkenburg	Perloff	Wynot

—27

Mr. McBride offered the following amendment #2 to the bill, H. 322 as amended:

Amend Substitute for Ways and Means Committee Substitute, as amended to H. B. 322, Section 4, Subsection T (page 9) by adding at the end thereof the following paragraph:

"Each professional, certified teaching, supervisory, and administrative employee shall receive one hundred twenty-four dollars (\$124) per annum for hospital-medical insurance. These funds shall be made available by allot-

ment from the Vocational Technical School Equalization Account by the State Board of Education to the institutions with a majority of the professional employees selecting the plan(s) and the carrier(s) of the hospital-medical insurance for that institution."

AMENDMENT TABLED

On motion of Mr. Lyons, the amendment #2 offered by Mr. McBride to the bill, H. 322 as amended, was tabled.

Yeas 54; Nays 34.

Yeas:

Mr. Speaker	Downing	Hill	Reid (R)
Adams	Drake	Hughes	Reynolds
Agee	Easters	Kinsey	St. John
Bassett	Fite	McCorquodale	Slate
Boutwell	Flippo	Manley	Smith (K)
Brassell	Gafford	Mathews	Snell
Callahan	Goodwin	May	Taylor
Casey	Grainger	Naramore	Turner
Cauthen	Grey (D)	Nettles	Turnham
Collins	Hale	O'Daniel	Weeks
Connell	Hardin	Parker	Williams
Crowe	Harris	Porter	Wise
Culver	Headley	Pruitt	Wood
Dill	Hearn		

—54

Nays:

Messrs.:	Coshatt	McBride	Robertson
Adwell	Cottingham	McCluskey	Stokes
Barron	Cross	McDonald	Therrell
Benton	Doss	McMillan	Timmons
Boles	Ellis	McNair	Waldrop
Burgess	Erdreich	Merrill	Wallace
Carnes	Falkenburg	Mims	Warren
Carter	Jones (F)	Perloff	Wynot
Chesnut	Lutz	Roberts	

—34

Mr. Waldrop offered the following amendment to the bill, H. 322 as amended:

Amend H. B. 322, Section 4, Subsection J (page 5) by adding at the end thereof the following paragraph:

"It is provided that beginning with the fiscal year 1973-74 that in addition to the salary now received and any normal increments due, each full-time instructor, counselor, librarian, and administrative personnel covered by the Junior College Equalization Account shall receive salary increases not less than the following: Bachelor's degree employees not less than one thousand dollars (\$1,000.00); Master's degree employees not less than one thousand one hundred sixty dollars (\$1,160.00); Master's degree plus 30 semester hours (Educational Specialist equivalent) employees not less than one thousand three hundred forty-five dollars (\$1,345.00); passed comprehensive examinations for Doctor's degree or Master's Degree plus 60 semester hours employees not less than one thousand five hundred sixty dollars (\$1,560.00);

REGULAR SESSION
10th Day

889

Doctor's degree employees not less than one thousand eight hundred ten dollars (\$1,810.00). This amount, for each of the above personnel, shall be applicable to the first nine (9) months of the school year beginning in September."

It is also provided that beginning with the fiscal year 1973-74 that in addition to the salary now received each non-professional full-time personnel covered by the Junior College Equalization Account shall receive a salary increase of not less than 10 percent.

AMENDMENT TABLED

On motion of Mr. Lyons, the amendment offered by Mr. Waldrop to the bill, H. 322 as amended, was tabled.

Yeas 50; Nays 38.

Yeas:

Mr. Speaker	Crawford	Jackson	Pruitt
Adams	Culver	Jones (F)	Reynolds
Agee	Dill	Kinsey	St. John
Bank	Doss	McCluskey	Slate
Bassett	Downing	McCorquodale	Smith (K)
Bowers	Easters	Manley	Snell
Brassell	Goodwin	Mathews	Timmons
Callahan	Grainger	Merrill	Turner
Carter	Grey (D)	O'Daniel	Turnham
Casey	Hardin	Owens	Waggoner
Cauthen	Harris	Parker	Williams
Collins	Headley	Porter	Wise
Connell	Hearn		

—50

Nays:

Messrs.:	Ellis	McBride	Stokes
Barron	Erdreich	McDonald	Stubbs
Benton	Falkenburg	McMillan	Taylor
Boles	Flippo	McNair	Therrell
Carnes	Gray (F)	Mims	Waldrop
Chesnut	Hale	Naramore	Wallace
Coshatt	Hill	Nettles	Warren
Cross	Hobbie	Perloff	Wood
Crowe	Hughes	Roberts	Wynot
Drake	Lang	Robertson	

—38

Mr. Taylor offered the following amendment to the bill, H. 322 as amended:

Amend Section 4, K, of substitute to Ways and Means Committee Substitute for H. B. 322 by striking figure "\$200,000" and inserting in lieu thereof the figure "\$400,000."

AMENDMENT TABLED

On motion of Mr. Lyons, the amendment offered by Mr. Taylor to the bill, H. 322 as amended, was tabled.

Yeas 62; Nays 26.

Yeas:

Mr. Speaker	Downing	Jackson	Reynolds
Adams	Drake	McBride	St. John
Barkett	Easters	McCluskey	Slate
Barron	Edwards	McCorquodale	Smith (K)
Bassett	Fite	McDonald	Snell
Boutwell	Flippo	Manley	Stokes
Bowers	Goodwin	Mathews	Timmons
Brassell	Grainger	Meeks	Turner
Callahan	Grey (D)	Merrill	Turnham
Casey	Hale	Naramore	Waggoner
Collins	Hardin	Nettles	Wallace
Cottingham	Harris	Owens	Williams
Cross	Headley	Parker	Wise
Crowe	Hearn	Pruitt	Wood
Culver	Hill	Reid (R)	Wynot
Dill	Hughes		

—62

Nays:

Messrs.:	Cauthen	Hobbie	Roberts
Adwell	Chesnut	Jones (F)	Robertson
Agee	Connell	Lang	Taylor
Bank	Doss	Lutz	Therrell
Benton	Ellis	McNair	Waldrop
Burgess	Erdreich	Mims	Warren
Carnes	Falkenburg	Perloff	

—26

Mr. Erdreich offered the following amendment to the bill, H. 322 as amended:

Amend H. B. 322 as substituted and amended by deleting from Section 3(N) (b) on page 7 the following phrase which appears in the fourth paragraph of said Subsection: "or any extra-curricular demonstration which is not approved by the City, County, or State Board of Education."

AMENDMENT TABLED

On motion of Mr. Lyons, the amendment offered by Mr. Erdreich to the bill, H. 322 as amended, was tabled.

Yeas 65; Nays 27.

Yeas:

Mr. Speaker	Carter	Drake	Hughes
Adams	Casey	Easters	Jackson
Agee	Chesnut	Edwards	Kinsey
Barkett	Collins	Ellis	Lang
Barron	Connell	Fite	McBride
Bassett	Cottingham	Goodwin	McCluskey
Benton	Crawford	Grey (D)	McCorquodale
Bowers	Cross	Hardin	Manley
Brassell	Culver	Harris	Mathews
Burgess	Dill	Headley	May
Callahan	Downing	Hearn	Meeks

REGULAR SESSION
10th Day

891

Mims	Pruitt	Snell	Wallace
Naramore	Reid (R)	Taylor	Warren
O'Daniel	Reynolds	Turner	Williams
Owens	Slate	Turnham	Wise
Parker	Smith (K)	Waggoner	Wynot
Porter			

—65

Nays:

Messrs.:	Flippo	McDonald	Robertson
Bank	Grainger	McMillan	St. John
Boutwell	Gray (F)	McNair	Smith (P)
Carnes	Hale	Merrill	Stokes
Cauthen	Hill	Nettles	Therrell
Erdreich	Jones (F)	Perloff	Waldrop
Falkenburg	Lutz	Roberts	Wood

—27

Mr. Boles offered the following amendment to the bill, H. 322 as amended:

Section 4, Paragraph J of the House Bill to be amended as follows:

Strike the figure \$16,352,481.00 for the fiscal year ending September 30, 1974, and insert the figure; \$17,102,481.00. Strike the figure \$17,969,252.00 for the fiscal year ending September 30, 1975, and insert the figure; \$18,719,252.00.

AMENDMENT TABLED

On motion of Mr. Lyons, the amendment offered by Mr. Boles to the bill, H. 322 as amended, was tabled.

Yeas 55; Nays 27.

Yeas:

Mr. Speaker	Culver	Jackson	Pruitt
Adams	Dill	Jones (F)	Reynolds
Barron	Downing	Lang	Roberts
Bassett	Drake	Lutz	St. John
Bowers	Fite	McCluskey	Slate
Brassell	Flippo	McCorquodale	Snell
Burgess	Goodwin	McDonald	Stokes
Callahan	Grainger	Manley	Therrell
Casey	Hale	Mathews	Turner
Cauthen	Hardin	Merrill	Turnham
Collins	Harris	Nettles	Waggoner
Connell	Hearn	Owens	Wise
Cottingham	Hill	Parker	Wood
Crawford	Hughes	Porter	

—55

Nays:

Messrs.:	Chesnut	Falkenburg	Robertson
Agee	Coshatt	Headley	Taylor
Barkett	Cross	Hobbie	Timmons
Benton	Crowe	McBride	Waldrop
Boutwell	Easters	McMillan	Wallace
Carnes	Ellis	Naramore	Warren
Carter	Erdreich	Reid (R)	Wynot

—27

MOTION TO RECONSIDER LOST

Having voted on the prevailing side, Mr. Snell moved to reconsider the vote by which the amendment offered by Mr. Mims to the bill, H. 322 as amended, was adopted, and the motion was lost.

Yeas 37; Nays 50.

Yeas:

Mr. Speaker	Downing	Kinsey	Reynolds
Adams	Drake	McCorquodale	St. John
Bassett	Easters	McDonald	Slate
Brassell	Flippo	Manley	Snell
Casey	Grainger	Mathews	Turner
Cauthen	Hardin	Nettles	Turnham
Collins	Harris	Parker	Waggoner
Culver	Hearn	Porter	Williams
Dill	Hill	Pruitt	Wise
Doss			

—37

Nays:

Messrs.:	Cross	Jones (F)	Roberts
Agee	Crowe	Lang	Robertson
Barkett	Edwards	Lutz	Smith (K)
Barron	Ellis	McBride	Stokes
Benton	Erdreich	McMillan	Taylor
Boles	Falkenburg	McNair	Therrell
Boutwell	Fite	Meeks	Timmons
Burgess	Goodwin	Merrill	Waldrop
Carnes	Gray (F)	Mims	Wallace
Chesnut	Hale	Naramore	Warren
Connell	Hobbie	Owens	Wood
Coshatt	Hughes	Perloff	Wynot
Cottingham	Jackson	Reid (R)	

—50

H.322 CONTINUED

Mr. Turnham offered the following amendment to the bill, H. 322 as amended:

Further amend Ways and Means Substitute for H. B. 322, Section 4, Subsection N following paragraph (B) so as to add to paragraph (c) the following:

“Provided however, that the State Board of Education and the local school boards shall administer the personal leave of public school teachers so that personal leave shall not be granted more than 10% of the teachers at any one school on any one day.”

AMENDMENT TABLED

On motion of Mr. Lyons, the amendment offered by Mr. Turnham to the bill, H. 322 as amended, was tabled.

Yeas 58; Nays 24.

Yeas:

Mr. Speaker	Barkett	Bowers	Carnes
Adams	Bassett	Brassell	Casey
Bank	Boutwell	Callahan	Cauthen

REGULAR SESSION
10th Day

893

Chesnut	Goodwin	McCorquodale	Reynolds
Collins	Grainger	McMillan	Robertson
Cottingham	Harris	McNair	Slate
Culver	Headley	Manley	Taylor
Dill	Hearn	Merrill	Timmons
Doss	Hill	O'Daniel	Turner
Downing	Hughes	Owens	Waggoner
Drake	Jackson	Parker	Waldrop
Ellis	Jones (F)	Porter	Wallace
Erdreich	Lang	Pruitt	Wise
Falkenburg	Lutz	Reid (R)	Wynot
Flippo	McCluskey		

—58

Nays:

Messrs.:	Edwards	McDonald	Smith (K)
Agee	Fite	Meeks	Stokes
Barron	Hale	Nettles	Stubbs
Burgess	Hardin	Perloff	Therrell
Carter	Hobbie	Roberts	Williams
Connell	McBride	St. John	Wood
Easters			

—24

CO-SPONSOR ADDED

At the request of Mr. Waldrop, unanimous consent was granted for the Journal to show him as co-sponsor of the bill, H. 322.

And the bill, H. 322, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Adwell	Dill	Kinsey	Roberts
Agee	Doss	Lang	Robertson
Bank	Downing	Lutz	St. John
Barkett	Drake	McBride	Slate
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

—102

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:25 P.M. on June 12, 1973: H. J. R. 76.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Lyons, the House adjourned until 12:00 o'clock, noon, Thursday, June 14, 1973.

ELEVENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, June 14, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Lester Spencer, Pastor Forest Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Casey	Ellis	Hughes
Adams	Cauthen	Erdreich	Jackson
Adwell	Chesnut	Falkenburg	Jones (F)
Agee	Collins	Fite	King
Bank	Connell	Flippo	Kinsey
Barkett	Coshatt	Gafford	Lang
Barron	Cottingham	Goodwin	Lutz
Bassett	Crawford	Grainger	McCluskey
Benton	Cross	Gray (F)	McCorquodale
Boles	Crowe	Grey (D)	McDonald
Boutwell	Culver	Hale	McMillan
Bowers	Dill	Hardin	McNair
Brassell	Doss	Harris	Manley
Burgess	Downing	Headley	Mathews
Callahan	Drake	Hearn	May
Carnes	Easters	Hill	Meeks
Carter	Edwards	Hobbie	Merrill

REGULAR SESSION
11th Day

895

Mims	Reed (T)	Snell	Waggoner
Naramore	Reid (R)	Stewart	Waldrop
Nettles	Reynolds	Stokes	Wallace
O'Daniel	Roberts	Stubbs	Warren
Owens	Robertson	Taylor	Weeks
Parker	St. John	Therrell	Williams
Perloff	Slate	Timmons	Wise
Porter	Smith (K)	Turner	Wood
Pruitt	Smith (P)	Turnham	Wynot

—104

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the tenth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the tenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the tenth legislative day was approved.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E) due to illness.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 523. To regulate the solicitation of advertisement by any person, firm, corporation, State or Federal Peace Officers Association for any Peace Officers Magazine or Journal; to provide penalties for violation of this Act.

H. 253. To amend the Code of Alabama, 1940, Title 34, Section 6, relating to performance of civil marriage ceremonies, so as to include the authorization of all Inferior Court Judges or Statutory Court Judges with less position than Circuit Court Judges to perform marriage ceremonies.

H. 268. To amend Code of Alabama, Title 14, Sections 331 and 334; which sections define and distinguish the offenses of petit and grand larceny, so as to raise the dollar amount of property stolen or converted, which distinguishes petit larceny from grand larceny.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 292 (With Amendment): To prohibit a limit on the number of times that a person, otherwise qualified, may take the Alabama Bar Examination.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 856 (With Amendments): To define the crime of looting and provide penalties for the commission thereof.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 700. To provide that a retired member of the State Employees' Retirement System may earn up to \$4,800 from any source without affecting their retirement pay.

H. 804. To provide that a retired member of the Teachers' Retirement System of Alabama may earn up to \$4,800 from any source without affecting their retirement pay.

H. 169. To amend Title 48, Section 462, Code of Alabama 1940, which relates to unlawful riding on trains and busses, so as to increase the penalty therefor.

H. 874. To amend Title 48, Sections 215, 216, 217, 222, and 223, Alabama Code 1940, which provides for the appointment and exercise of powers of Railway Policemen, so as to provide the Governor power to enter into reciprocal agreements with other states, allowing Railway Policemen to exercise their power and authority in other states; to allow such policemen to register with the Secretary of State.

H. 894. To amend Section 584 of Title 7, Code of Alabama 1940, relating to the registration of judgments and decrees, so as to require the address of each defendant or respondent as shown in the court proceedings to appear on the certificate of registration.

H. 886. To provide for privileged communications with clergymen.

H. 312. To amend Code of Alabama 1940, Title 7, Section 1035, relating to civil remedies and procedure, so as to provide for garnishment of certain salaries after final judgment in cases of child support.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 757 (With Amendment): To amend Code of Alabama 1940, Title 15, Section 104 which provides for the issuance of search warrants by a local magistrate, based on probable cause, delivered to the county sheriff, so as to provide for the issuance of such warrant to the sheriff or any lawful officer.

Mr. Stubbs, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill

and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 387. To increase available funds for the financing of residential housing for persons and families of low and moderate income through the creation of a public corporation of the State with public and corporate powers to be known as the Alabama Housing Development Corporation; defining its duties, powers, authorizing the purchase by the Alabama Housing Development Corporation of existing mortgages from "mortgage lenders" within the state and authorizing loans by the Alabama Housing Development Corporation to "mortgage lenders" within the state for the purpose of furnishing and providing funds for new residential mortgages for persons and families of low and moderate income; authorizing the issuance of bonds and notes of the corporation to assist in the financing of such housing and providing for the terms, security, payment and taxation thereof.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 249. Relating to automobile license tags; authorizing the secretary of the USS Alabama Battleship Commission to use a special tag number.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 499 (With Amendment): To amend Sections 3, 5, 6, 8, 18, 21, 31, 37 and 39 of Act 663, Senate 132, Acts of Alabama 1961, enacted at the 1961 Regular Session of the Legislature of Alabama, as amended, which said act is to provide for and regulate general and special elections in the cities and towns of this state, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections; and to require ninety day prior residency of candidates; and to authorize establishment of voting centers.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 500. To amend Sections 4, 6, 7, 9, 19, 22, 32, 38 and 40 of Act 664, Senate 133, Acts of Alabama 1961, enacted at the 1961 Regular Session of the Legislature of Alabama, as amended, which said act is to provide for

and regulate elections in cities and towns of 300,000 population or less which have a commission form of government; designating the date for regular elections and authorizing the Board of Commissioners to call special elections; prescribing the manner of giving notice of municipal elections, of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections; and to require ninety days prior residency of candidates; and to authorize establishment of voting centers.

H. 501. To amend Section 403, Title 37, Code of Alabama 1940, so as to require electors standing for election as municipal officers to have been a resident of the municipality for a period of not less than ninety (90) days prior to the date of the municipal election in which they seek election.

H. 502. To amend Sections 69 & 102, Title 37, Code of Alabama 1940, so as to require electors standing for election as commissioner to have been a resident of the municipality for a period of at least ninety days prior to the date of the municipal election in which they seek election.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 505 (With Amendment): To amend Section 1 of Act 2228, Regular Session of the Alabama Legislature, Volume 5, page 3585, Acts of Alabama 1971, which act provides additional alternative procedures whereby incorporated municipalities with populations of 2,000 or more may alter their corporate limits, so as to provide procedure for altering the corporate boundaries of such incorporated municipalities in the event one or more such incorporated municipalities have overlapping police jurisdictions.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 506. To provide an additional alternative procedure whereby incorporated municipalities may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory upon petition of a fixed percentage of the landowners of the area sought to be annexed.

H. 410. To amend Section 115, of Title 12 Code of Alabama, 1940.

H. 971. To amend Section 2 of Act No. 350, Regular Session 1945 (Acts 1945, p. 565), authorizing the governing body of any county or certain municipalities to create a recreation board, so as to authorize the governing body of any such county or municipality, within the discretion of any such governing body, to increase the members of such recreation boards from five to not less than five nor more than seven.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 696. To provide that the clerk of the court collecting solicitor's or district attorney's fees in the eleventh judicial circuit shall place such fees into a Judges' and District Attorney's Fund, and to authorize certain expenditures from such fund.

H. 752. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

H. 861. To declare the public policy of the State with respect to violation of Section 420 Title 14, Code of Alabama 1940, as last amended, in counties in Alabama having a population of not less than 34,100 nor more than 34,900 inhabitants according to the last or any subsequent federal decennial census; to determine and declare that prosecution and the impositions of criminal penalties is inadequate to prevent violations and that the remedy at law to enforce the same is inadequate in such counties; to declare that habitual violations of the statute constitutes a legal nuisance in such counties; to provide certain exemptions; to prevent unfair competition among merchants and shopkeepers by reason of violations of said statute as amended in such counties; to provide for means and procedure and to prescribe evidentiary presumptions for the enforcement thereof by injunction and to confer jurisdiction for enforcement upon courts having equity jurisdiction in such counties; to render the provisions of this Act severable; to declare the date on which the Act shall become effective.

H. 870. To further amend Section 1 of Act No. 63, H. 651, Regular Session 1969 (Acts 1969, p. 354), as amended, so as to further provide for the compensation of county superintendents of education in certain counties classified on a population basis.

H. 871. To provide for the compensation of jurors in Lawrence County.

H. 882. To amend further Code of Alabama Title 7, Section 724, which relates to subscriptions for and filing of weekly newspapers by certain county officers, so as to exempt the clerk of the circuit court from the provisions of this section in counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

H. 883. Relating to the office of the sheriff in all counties having a population of not less than 53,000 nor more than 55,000 inhabitants, according to the most recent federal decennial census; to provide for the number of jailers and an increase in the salary of the jailers and to further provide for an increase in the number of clerks in the sheriff's office and their salary.

H. 884. To authorize the Marshall County governing body to provide protection against forest fires within the county and to assess the whole or a

part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

H. 885. Relating to The Douglas Water and Fire Protection Authority, a corporation; to confer additional authority upon said corporation which was organized in Marshall County under Act No. 107, S.B. 2, First Special Session 1965, as amended in respect to the establishment, construction, operation, improvement, and financing of gas distribution facilities and services.

H. 869. Relating to counties having populations of not less than 27,000 nor more than 27,900, authorizing an appropriation from county funds for certain purposes.

H. 872. Relating to Lawrence County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

H. 929. Relating to counties having a population of not less than 52,500 nor more than 53,000 inhabitants according to the most recent federal decennial census, so as to further provide for the compensation of the superintendent of education of such counties.

H. 930. To amend Section 1 of Act No. 1054, H. 1505, 1971 Regular Session (Acts 1971, p. 1902), which provides for an additional expense allowance of \$30.00 per month for each member of the county school board of counties having a population of not less than 34,100 nor more than 34,900; and to make the provisions of this amendatory act retroactive to September 7, 1971.

H. 931. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census, providing for the creation of a single county purchasing agent who shall be appointed by the probate judge or the chairman of the county governing body, as the case may be, of each such counties, and who shall be solely responsible for all county purchases.

H. 959. Relating to St. Clair County; to authorize the County Governing body to provide books, stationery, postage and other conveniences and supplies to the County Coroner; to make the provisions of this Act retroactive to September 8, 1961.

H. 933. To amend Act No. 2141, Alabama Law, Regular Session, 1971, "To provide for and prescribe the form of government of all cities having populations of not less than 35,000 nor more than 37,000."

H. 934. To authorize the City of Dothan to appropriate funds for the relief of Floyd Clayton, subject to certain conditions.

H. 935. To subdivide Precinct Number Three of Houston County into four Election Districts; to identify the territorial limits of each District; to require all persons in said Precinct to vote in the District in which he or she may reside; and to repeal all laws and parts of laws in conflict with the provisions of the Act.

H. 936. To subdivide the City of Dothan into wards for the purpose of conducting municipal elections; to identify the territorial limits of each ward; to require all qualified electors residing in the City and voting in a municipal

election to cast their ballot in the ward in which such elector resides; and to repeal all laws or parts of laws in conflict with the provisions of the Act.

H. 937. To amend Act No. 2017, Alabama Law (Regular Session, 1971) "To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

H. 798. Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census; to provide for an annual expense allowance for the remaining terms of office of certain officials of said counties, and providing for retroactive effect.

H. 919. To further amend Section 1 of Act No. 148, H. 166, Special Session 1969, (Acts 1969, p. 215), which section fixes the compensation of members of the jury commission in all counties having populations of not less than 95,000 nor more than 115,000 inhabitants, according to the most recent federal decennial census; so as to provide for an increase in the compensation paid to the members of said jury commission in said counties.

H. 920. To further amend Act No. 420, S. 387 of the Regular Session of 1939 (Local Acts, 1939, p. 252), which creates and establishes the County Commission of Calhoun County, amending Section 3 of said Act in order to redivide the county into districts for the purpose of electing the county governing body.

H. 797. Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census; to provide for an annual expense allowance for the sheriff of such counties, and providing for retroactive effect.

H. 961 RE-REFERRED

On motion of Mr. Brassell to re-refer, the bill, H. 961 was re-referred from the Standing Committee on Ways and Means to the Standing Committee on Judiciary.

RESOLUTIONS

The following resolutions introduced on the Tenth Legislative Day were read by title, pursuant to Joint Rule 12:

H. J. R. 92. Salute to Malcolm Fancher as newly elected President of Alabama Jaycees.

H. J. R. 93. Commending the Greater Talladega Area Chamber of Commerce for being awarded the 1972 Keep Alabama Beautiful and Livable Award.

H. J. R. 94. In appreciation of the service to education of M. D. Thornton of Montevallo.

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Kinsey:

H. 978. To amend Section 4 of Act No. 515, H. 93, Regular Session 1945 (General Acts 1945, p. 734), as last amended, which relates to the employees retirement system of Alabama.

Ways and Means.

By Messrs. Owens, Jackson, Drake, Collins, McCorquodale, Williams, Bank, Hardin, Barkett, Chesnut, Warren, Mims, Wise, Crawford, Smith (P), Snell, Pruitt, Connell, Headley, May, Bassett, Kinsey, Lang, Brassell, Culver, Agee, O'Daniel, Cauthen, Adams, Smith (K), Fite, Edwards, Cross and McCluskey:

H. 979. To further amend Section 89, Title 36, Code of Alabama 1940, as amended, which section regulates the size of motor vehicles allowed to travel on the public highways of this state, so as to further regulate the size of certain motor vehicles.

Commerce and Transportation.

By Mr. Headley:

H. 980. To further amend Section 1 of Act No. 188, H. 243, First Special Session 1964 (Acts 1964, p. 253), as amended, which regulates the compensation of registrars and provides for payment of additional compensation in certain counties classified on a population basis.

Local Legislation No. 1.

By Mr. Headley (With Notice and Proof):

H. 981. Relating to the office of sheriff of Chilton County; providing further for the appointment, number, duties and compensation of deputies; providing for the furnishing of quarters, equipment and clerical help; providing for an expense allowance for the sheriff; and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 981:

LEGAL NOTICE
AN ACT

Relating to the office of sheriff of Chilton Count; providing further for the appointment, number, duties and compensation of deputies; providing for the furnishing of quarters, equipment and clerical help; providing for an expense allowance for the sheriff; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Chilton County may appoint a total of nine deputies, including a chief deputy and an assistant chief deputy who shall serve at the pleasure of the sheriff and shall perform such duties as the sheriff may direct. Before entering upon their duties all such deputies shall make bond payable to the sheriff in the sum of \$2,000.00 conditional as required by Code of Alabama 1940, Title 41, Section 35.

REGULAR SESSION
11th Day

903

Section 2. The salaries of all deputies shall be paid in equal monthly installments from the general fund of Chilton County or may be paid in whole or in part from the county highway and traffic fund at the direction of said county governing body. The chief deputy shall receive not less than \$7,800 nor more than \$9,600 per year. The assistant chief deputy shall receive not less than \$5,400 nor more than \$8,400 per year, and all regular deputies shall receive not less than \$4,800 nor more than \$7,800 per year. The salaries for the chief deputy sheriff, assistant chief deputy sheriff, and regular deputies within the above-designated schedule shall be determined by the sheriff of Chilton County upon the qualifications, experience, length of service, and abilities of said deputies.

Section 3. The county governing body shall provide the sheriff with such quarters, equipment, supplies, and clerical help as deemed necessary for the sheriff to efficiently and properly conduct the duties and affairs of his office. In event the sheriff is required to use his personal automobile in the performance of his duties as sheriff of Chilton County, Alabama, he shall be compensated in the sum of ten cents per mile for each mile traveled in the performance of such duties.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed, and Act. No. 533, H. 776 Regular Session 1971 (Acts 1971 p. 1258) is hereby expressly repealed.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Personally appeared before the undersigned, a Notary Public in and for said County and State, Bob Tucker, Publisher of Chilton County News, a newspaper published at Clanton, County of Chilton, State of Alabama, who being duly sworn, states on oath that the advertisement, a True Copy of which is hereto attached, was published in said newspaper in its issues of: 17th day of May, 1973, 24th day of May, 1973, 31st day of May, 1973, and 7th day of June, 1973.

BOB TUCKER,
Publisher.

Subscribed and sworn to before me this 12th day of June, 1973.

PLUMA B. MUNCY,
Notary Public.

By Mr. Headley:

H. 982. To amend further Section 388 of Title 51, Code of Alabama 1940, which relates to exemptions from the state income tax on individuals;

so as to include retirement and disability pay of members of the Armed Forces of the United States; and to provide that this act shall be given retro-active effect to January 1, 1972.

Ways and Means.

By Mr. Headley:

H. 983. Relating to penalties for persons convicted of violating motor vehicle registration and licensing laws; further amending and revising Code of Alabama 1949, Title 36, Section 69, as amended, so as to increase such penalties and to provide additional penalties for subsequent convictions; and changing certain provisions relative to justices of the peace.

Judiciary.

By Mr. Headley:

H. 984. To provide standards and regulations for testing the adequacy of brakes on motor vehicles driven on the highways of the state; to provide a test for deceleration and stopping distance of adequately equipped vehicles; to provide penalties for operating inadequately equipped vehicles.

State Administration.

By Messrs. Headley and Smith (P):

H. 985. To amend further Title 51, Section 21, Alabama Code 1940, by further exempting from taxation any tree, bush, vine or other growing thing from which a crop is harvested.

Ways and Means.

By Mr. Headley:

H. 986. To abolish the Farmers' Market Authority created by Act No. 672, S. 99, Regular Session 1965 (Acts 1965, p. 1208); and to transfer the duties, functions and authority created by said act to the "Farmers' Market Division", created herein, of the Department of Agriculture and Industries.

Agriculture.

By Messrs. Hardin and Bassett:

H. 987. Relating to all counties having a population of not less than 13,000 nor more than 13,250, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

Local Legislation No. 1.

By Mr. Merrill:

H. 988. To amend Sections 1, 2 and 4, Act No. 1593, S. 28, Regular Session 1971, relating to the duties, functions and personnel of the Department of Court Management and to provide or assist in providing continuing legal and judicial education to judges and court-affiliated personnel; and to add thereto additional sections pertaining to coordination of the administration of justice with other units of the judicial system or other units of government.

Judiciary.

By Messrs. Stewart, Erdreich, Crowe, Roberts, Doss and Cauthen:

H. 989. To provide for the creation, staffing, and functioning of a fiscal office to serve both houses of the Legislature and the members thereof.

Ways and Means.

By Messrs. Barkett, Wynot, Connell, Owens, Wise, Easters, Crawford, Ellis, Lutz, Williams, Jones (E), Carter, Cross, Grainger, King, Culver, Snell, Bank, Hearn, Stokes, Naramore, Turnham, Jackson, May, Kinsey, Hale, Lang, Mathews, Casey, Therrell, Cottingham, Dill, Agee, McCorquodale, McDonald, Grey (D), Reid (R), Reynolds, Flipppo, Robertson, Chesnut, Smith (P), Nettles, Roberts, Coshatt, Mims, Warren, Jones (F), Taylor, Goodwin, Cauthen, Edwards, Adwell, Smith (K), Hobbie, Brassell, Carnes, Bassett, Benton, Adams, Burgess, Collins, Hardin, Headley and Turner:

H. 990. To amend Section 6 of an Act entitled "An Act to prohibit the giving of worthless checks, drafts or other written orders for money; to give definition of certain words and phrases; to provide a penalty for violation; and to repeal all laws in conflict, especially Title 14, Sections 234 (8), Code of Alabama Recompiled 1958," approved October 1, 1971.

Judiciary.

By Mr. Williams:

H. 991. To provide for a retirement system for the sheriffs of the various counties within the state.

Ways and Means.

By Mr. Manley:

H. 992. To provide for the participation by state institutions of higher learning with private institutions of higher learning in a consortium product contract as a source or purchasing; to provide an effective date for this Act.

Education.

By Mr. Timmons:

H. 993. To fix the compensation or salary of the Sheriff of all counties having a population of six hundred thousand (600,000) or more according to the last or subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Local Legislation No. 2.

By Messrs. Timmons, Weeks, Waggoner and Hughes:

H. 994. Relating to counties having a population of 600,000 or more according to the last or any subsequent federal census; to amend Act No. 323, Regular Session, 1963 (Acts 1963, P. 803) an act to require the payment to the Sheriff of Jefferson County, Alabama, of a fee of Seven Dollars and Fifty Cents (\$7.50) for each pistol permit issued by him; to provide that the Sheriff shall pay the said Seven Dollars and Fifty Cents (\$7.50) to the County Treasurer; to provide that the County Treasurer shall deposit fifty cents (50¢) of said fee in the General Fund of the county and shall pay four dollars and fifty cents (\$4.50) of said fee to the fund of the retirement system for county employees of Jefferson County established by Act No. 551 of

the Legislature of Alabama of 1953, approved September 9, 1953, (Acts of Alabama, 1953, pages 766, et seq.) so long as the benefits provided for by the schedule of specific benefits stated in said Act; to provide that when the aforesaid four dollars and fifty cents (\$4.50) of said fee is not paid the said fund established by Act No. 551 the said four dollars and fifty cents (\$4.50) shall be paid to the fund of the retirement system for county employees established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, (Acts of Alabama of 1961, pages 1250, et seq.); to provide that the collection of said fee shall not commence until Act No. 343 of the Legislature of Alabama of 1953, approved August 7, 1963, (Acts of Alabama of 1953, page 404, et seq.) has been repealed; to provide that the county treasurer shall deposit Two Dollars and Fifty Cents (\$2.50) in a Sheriff's Fund and to provide for the use of such Sheriff's Fund; and to repeal all laws and parts of laws in conflict with this Act.

Local Legislation No. 2.

By Messrs. Timmons, Doss, Erdreich, Adwell, Weeks, Ellis, McNair, McMillan, Falkenburg and Waggoner:

H. 995. To amend Section 11 of Act No. 405 enacted at the 1967 Regular Session of the Legislature of Alabama (applicable to any county in the state having a population of 500,000 or more, according to the last or any subsequent federal census) so as to increase from twenty-two per cent (22%) to seventy-five per cent (75%) the portion of the total amount of the second one-half share of proceeds from the taxes levied by said Act No. 405 required to be paid to the Treasurer or other custodian of funds for the Board of Health of any such county.

Local Legislation No. 2.

By Messrs. Hearn, Lutz, King, Hale and Grainger:

H. 996. To further amend Title 13, Section 187, Code of Alabama 1940, as amended, which provides for the appointment, compensation and duties of circuit court bailiffs, so as to provide for counties having a population of not less than 175,000 and not more than 300,000, according to the most recent federal decennial census, with three or more circuit judges, to increase the compensation of bailiffs without a law degree and to establish a rate of compensation for bailiffs with law degrees.

Local Legislation No. 4.

By Messrs. Doss, Dill, Falkenburg, Erdreich, Bowers, Timmons, Adwell, Jones (E), Boutwell, Waggoner, Hughes and Ellis:

H. 997. To amend Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to authorize the county transit authority provided for by said Act to provide charter service within the State of Alabama.

Local Legislation No. 2.

By Messrs. Doss, Dill, Falkenburg, McNair, Bowers, Timmons, Adwell, Hughes and Ellis:

H. 998. To authorize, provide for, and regulate the introduction in evidence in any court in the state, when the original thereof would be admis-

sible, of certified copies of certain hospital records of any hospital located in Alabama counties of more than 600,000 population, according to the last or any subsequent Federal census, organized or operated under or pursuant to the laws of Alabama, as to and concerning a patient in said hospital; to prescribe the form of the certificate to be used for certifying copies of such records, the procedure for obtaining and handling such records, the manner of copying such records, the costs and charges therefor and the manner of payment thereof and the probate value of such records.

Local Legislation No. 2.

By Messrs. Doss, Bank, Falkenburg, Ellis, St. John, Reid (R), Culver, Grainger, Mims, Roberts, Weeks, Adwell, Erdreich and Timmons:

H. 999. To regulate the collection, sale, labeling, and use of blood; providing a penalty for the violation of this act.

Health.

By Messrs. Doss, Falkenburg, Crowe, Ellis, St. John, Reid (R), Culver, Mims, Roberts, Bowers, Weeks, Adwell, Erdreich and Timmons:

H. 1000. To provide for the establishment, regulation of, and an appropriation for the financing of a scholarship loan and awards program for the study of dentistry; replacing Act No. 793 of Acts of Alabama, Regular Session, 1965.

Ways and Means.

By Mr. Waldrop:

H. 1001. To amend Code of Alabama, 1940, Title 52, Sections 364 and 365, which relate to the Teachers' Retirement System, amending such sections in relation to membership service creditable toward retirement.

Ways and Means.

By Mr. Waldrop:

H. 1002. To amend Section 4 of Act No. 515, H. 93, Regular Session 1945 (General Acts 1945, p. 734), as last amended, which relates to the employees retirement system of Alabama.

Ways and Means.

By Mr. Reynolds:

H. 1003. Relating to counties having a population of not less than 23,900 and not more than 24,450, according to the most recent federal decennial census; to provide for payment of an expense allowance to the judge of intermediate courts in such counties.

Local Legislation No.1.

By Mr. Roberts:

H. 1004. To authorize County governing bodies to enter into contracts with Federal Government.

Commerce and Transportation.

By Messrs. Jones (F), Harris, Lyons, Bowers, Weeks, Bank, Lutz, Headley, Hughes, Wood, Waldrop, Hill and Turnham:

H. 1005. To create a uniform military code by rewriting Sections 1-185 and Sections 203-349 of Title 35, Code of Alabama and amendments thereto, to provide for the Alabama National Guard and naval militia and to provide for the Alabama State Guard; to provide for the training, regulation, maintenance and appropriations therefor; to establish the state military department and the office of the Adjutant General and to prescribe the duties, authority, and power of such department and office; to establish a uniform code of military justice and to provide other authority incidental to the proper establishment and maintenance of the Alabama National Guard, naval militia, and the Alabama State Guard.

Military Affairs.

By Mr. Cauthen:

H. 1006. To provide further for the selection of textbooks and instructional materials for use in public schools in counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Hill and Stokes:

H. 1007. To authorize and regulate collection agencies, to define collection agencies, to prescribe the duties thereof, to describe the duties of the Attorney General in the connection therewith, to fix bonds for the operation thereof, and to set methods of operating in Alabama.

Judiciary.

By Messrs. Turnham, Brassell and Adams:

H. 1008. To allow prospective jurors to be excused without the presence of the defendant in criminal cases in the Thirty-seventh Judicial Circuit of Alabama.

Local Legislation No. 1.

By Messrs. Turnham, Brassell and Adams:

H. 1009. Relating to the method of giving notice of the requirement of attendance of jury service in the Thirty-seventh Judicial Circuit of Alabama.

Local Legislation No. 1.

By Messrs. Turnham, Brassell and Adams:

H. 1010. To regulate further the excusing of persons from jury service in the Thirty-seventh Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Local Legislation No. 1.

REGULAR SESSION
11th Day

909

By Messrs. Turnham, Brassell and Adams:

H. 1011. To abolish the drawing of special venires in capital cases in the Thirty-seventh Judicial Circuit of Alabama.

Local Legislation No. 1.

By Messrs. Turnham, Brassell and Adams:

H. 1012. Relating to criminal procedure in the Thirty-seventh Judicial Circuit; providing for the separation of the jury during the trial of a felony by consent of the parties thereto.

Local Legislation No. 1.

By Messrs. Turnham, Brassell and Adams:

H. 1013. To apply only in the circuit court of the Thirty-seventh Judicial Circuit; to provide that in such court the parties to any action, except prosecutions for capital felonies, may at any stage of a trial then pending and whether the jury has retired or not, unanimously consent with legal effectiveness to the discharge from further duty of any member of the jury trying the case, and to a continuation of the trial and the rendition of a verdict by the remaining jurors; and to further provide that in such courts and in such actions the parties may, prior to the commencement of a trial unanimously stipulate in open court with legal effectiveness that in the event it becomes necessary during the pendency of the trial, whether the jury has retired or not, for the court to discharge from further duty any member of the jury trying the case because of the juror's sickness or other good cause, the trial shall continue with and a verdict be rendered by the remaining jurors.

Local Legislation No. 1.

By Messrs. Culver, Hearn, Bank, Coshatt, Wood, Downing, Perloff, Roberts, Easters, Barkett, Callahan, Collins and Robertson:

H. 1014. To create a commission called The Good Neighbor Commission; prescribing certain powers and duties for said permanent state commission; authorizing the use of legislative funds in the amount of \$50,000 per year for its expenses during 1973-75 bienium; providing for transportation facilities for the commission and for expenses of the commission.

Ways and Means.

By Messrs. Culver, Bank, Robertson and Parker:

H. 1015. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for appointment of bailiffs in the county courts of such counties.

Local Legislation No. 1.

By Messrs. Turnham, Brassell and Adams:

H. 1016. Creating the office of Assistant District Attorney in the Thirty-seventh Judicial Circuit; and providing for his appointment, duties and compensation.

Ways and Means.

By Mr. Reed (T):

H. 1017. To require that all full-time school bus drivers in the public school systems shall be paid a salary of not less than \$300 per month.

Ways and Means.

By Mr. Stokes:

H. 1018. To revise existing bail practices in the courts of Alabama pertaining to appearance bonds in criminal causes, and to provide for duties of district attorneys pertaining to bond forfeitures, and to provide criminal sanctions for misconduct of professional bail bondsmen, and to provide for license revocation of professional bail bondsmen, and to amend certain sections of the Code of Alabama (1940), Title 15, to conform with such revision.

Judiciary.

By Messrs. Hobbie, Timmons, Taylor, Drake, Culver, Waggoner, Callahan, Kinsey, Easters, Wallace, O'Daniel, Stokes, Turnham, Jones (F), Hill and Bank:

H. 1019. To require every county and municipality in the state to provide a civil service merit system governing its law enforcement officers or to enter into an agreement for participation in the state merit system.

Local Government.

By Messrs. Callahan, Lyons, Collins, Therrell, Hardin and Bassett:

H. 1020. To provide for the establishment of a State Division of Disaster Emergency Services; to implement a program of preparation for disaster; to provide for efficient restoration following a disaster; to enact the Interstate Civil Defense and Disaster Compact; and to regulate the operation of said agency.

Commerce and Transportation.

By Mr. Dill:

H. 1021. To empower and direct the Director of the Department of Public Health to formulate and implement rules and regulations governing the operation of camp recreational facilities provided for minor children; to authorize the appointment of an advisory committee; to provide for the issuance of operating license for such camps; to provide penalties for the violation of this act.

Health.

By Messrs. Hill, Flippo, Headley, Stubbs, Naramore, Slate, Carter, Goodwin, Reynolds and Owens:

H. 1022. To establish a Community Service Agency within the Alabama Development Office; to authorize said agency to analyze the human service needs in all areas not specifically assigned to another state agency; to cooperate with other state agencies, regional planning and development commissions, local governing bodies, public and private non-profit corporations, and other private and public agencies in the development and implementation

of a delivery system for human services; to authorize said agency to award grants and contracts for the administration of human service programs, which may be funded from federal, state, regional, local and private sources.

Judiciary.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. McDonald, Drake and St. John:

H. J. R. 95. WHEREAS, the poultry industry is Alabama's largest agriculture industry, accounting for approximately thirty percent of the total farm income in Alabama; and

WHEREAS, in less than ten years the Alabama Poultry Industry has grown from total annual sales of \$100 million to in excess of \$300 million; and

WHEREAS, Alabama is the third largest broiler producing state in the nation and ranks sixth in egg production, having produced 2.80 billion eggs in 1972 and 400 million broilers; and

WHEREAS, members of the Alabama Poultry & Egg Association will meet in Birmingham on June 22-23, at the Alabama Poultry Festival; and

WHEREAS, Joe Jones from Albertville, Alabama has served with distinction and honor as president of the Alabama Poultry & Egg Association;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, That the week of June 17-23 is hereby declared to be "ALABAMA POULTRY PRODUCTS WEEK."

BE IT FURTHER RESOLVED, That the Clerk of the House send a copy of this resolution to the Alabama Poultry & Egg Association.

On motion of Mr. McDonald, the rules were suspended and the resolution, H. J. R. 95, was adopted.

Also:

By Messrs. Therrell and Crowe:

H. R. 96. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE That the House shall conduct all of its business between the hours of 10:00 a.m. and 6:00 p.m.

The resolution, H. R. 96, was read and referred to the Standing Committee on Rules.

Also:

By Mr. McCorquodale:

H. J. R. 97. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, June 19, 1973.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 97, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 413. To vest in the Legislative Council of the State of Alabama the authority to employ all legislative employees and to prescribe and designate work areas for all such employees and specific areas of legislative activity, and to fix the maximum permissible number of legislative employees and the maximum permissible rates of compensation for such employees; and to authorize the presiding officers of each house of the Legislature to employ certain employees or assistants.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Lyons offered the motion that the House concur in and adopt the Senate amendment to the bill, H. 413, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To vest in the members of the Legislative Council of the House of Representatives and the elected members of the Legislative Council of the Senate of the State of Alabama the authority to regulate the employment of all legislative employees and to prescribe and designate work areas for all such employees and specific areas of legislative activity, and to fix the maximum permissible number of legislative employees and the maximum permissible rates of compensation for such employees as herein provided; and to authorize the presiding officers of each house of the Legislature to employ certain employees or assistants.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby vested in the members of the Legislative Council of the House of Representatives and the elected members of the Legislative Council of the Senate of the State of Alabama the authority to regulate, with the advice of the Secretary of the Senate or the Clerk of the House of Representatives the employees of their respective houses, except pages, and to fix the exact number of employees who may be employed in each house in each category of employment and the exact amount of each legislative employee classification compensation, except as herein prescribed. Following their employment by the members of the Legislative Council of the House of Representatives and the elected members of the Legislative Council of the Senate of the State of Alabama, all legislative employees shall be under the control and supervision of the Secretary of the Senate as to Senate employees and of the Clerk of the House as to the employees of the House of Representatives.

The members of the Legislative Council of the House of Representatives and the elected members of the Legislative Council of the Senate of the State

of Alabama are hereby authorized to delegate such powers and duties as herein conferred upon it to the Secretary of the Senate or the Clerk of the House of Representatives with respect to the employees of their respective houses.

Section 2. In addition to legislative employees to be employed as provided in Section 1.

(a) The chairman of the Finance and Taxation Committee of the Senate and the chairman of the Ways and Means Committee of the House shall each be authorized to employ one full-time secretary for such committee, at a rate of compensation not to exceed \$12,000 per annum, payable as other state employees are paid, and two clerks while the legislature is in session at a rate of compensation not to exceed \$275.00 bi-weekly.

(b) The chairman of the Finance and Taxation Committee of the Senate and the chairman of the Ways and Means Committee of the House shall jointly and with the concurrence of them both, employ a fiscal consultant or statistician to serve such committees; and he shall be paid in an amount that shall be determined to be reasonable and proper and not to exceed \$18,500.00 per annum, payable as other state employees are paid, by the concurrence of the chairmen of these two committees. In addition and while the legislature is in session, such consultant shall be furnished one assistant to be selected by the said chairmen who shall also set the rate of compensation of such assistant at not to exceed the sum of \$350.00 bi-weekly.

Section 3. (Legislative Subordinate Officers) The subordinate officers of the legislature shall consist of the Secretary of the Senate, Clerk of the House of Representatives, Assistant Secretary of the Senate, and Assistant Clerk of the House of Representatives. The Secretary of the Senate and the Clerk of the House of Representatives shall be full-time employees, elected as provided by Law and compensated as hereinafter provided.

Provided further that the Secretary of the Senate and the Clerk of the House of Representatives, after serving in their respective capacities for nine successive years, shall attain, continuing service status and may be removed only for cause by their respective houses by a vote of a majority of the members elected thereof after ten days' notice of the intention to vote thereon together with a written notice of the cause for such removal. The service herein provided shall begin on the date of the original election to such office, whether such original election occurred prior to the passage of this Act or otherwise. The Secretary of the Senate and the Clerk of the House of Representatives, after attaining continuing service status shall not participate in political activity such as are prohibited by the Merit System Act in Section 317, Title 55 of the Code of Alabama 1940.

The Assistant Secretary of the Senate and the Assistant Clerk of the House of Representatives shall serve only while the Legislature is in session. The Assistant Secretary of the Senate shall be elected by a majority vote of the Senate; provided, however, that the person serving in such office as of the date of the passage of this Act shall continue to serve out the term for which elected. The Assistant Clerk of the House of Representatives shall be appointed by the Clerk of the House of Representatives with the approval of the Speaker of the House. Each shall be compensated as hereinafter provided; provided, nothing herein shall prohibit the Assistant Secretary of the Senate or Assistant Clerk of the House of Representatives from being employed as a legislative employee when the Legislature is not in session; but provided fur-

ther, however, that in no event shall any person be paid or receive compensation for more than one employment at any one time.

(a) The compensation of the Secretary of the Senate and the Clerk of the House of Representatives shall be \$16,152.00 per annum, payable as the salaries of other state officers or employees are paid.

(b) The compensation of the Assistant Secretary of the Senate and the Assistant Clerk of the House of Representatives shall be not more than \$500.00 bi-weekly.

Section 4. There may be employed for the Legislature such assistants as are reasonable necessary, and as are hereinafter authorized.

(a) There may be employed by the Secretary of the Senate and the Clerk of the House of Representatives, each, one chief clerk who shall be full-time employees, and who shall be responsible for assisting the Secretary of the Senate and the Clerk of the House of Representatives, respectively, with the general administration of their respective offices. The salary of each such employee shall be not more than \$12,500.00 per annum, payable as the salaries of other state employees are paid.

(b) The following classes of legislative employees, in the numbers hereinafter authorized may be employed:

- (1) Supervisory employees
- (2) Secretarial employees
- (3) General employees
- (4) Doorkeepers and gallery doorkeepers
- (5) Custodial employees
- (6) Pages

Section 5. (a) There may be employed by the Secretary of the Senate and the Clerk of the House, respectively, on a full-time basis, and subject to regulation by the members of the Legislative Council of the House of Representatives and the elected members of the Legislative Council of the Senate of the State of Alabama as to the exact number, not more than the following legislative employees:

- (1) For the Senate:
 - 3 Supervisory employees;
 - 10 Secretarial;
General employees;
 - 3 Custodial employees.
- (2) For the House of Representatives:
 - 3 Supervisory employees;
 - 12 Secretarial employees;
General employees;
 - 4 Custodial employees.

(b) The compensation of full-time legislative employees shall be not more than the amount herein prescribed, payable as the salaries of other state employees are paid. The exact amount of the compensation for each such cat-

egory of employees shall be fixed by the members of the Legislative Council of the House of Representatives and the elected members of the Legislative Council of the Senate of the State of Alabama with the advice of the Secretary of the Senate and the Clerk of the House of Representatives with respect to their respective employees. Such compensation shall be as follows:

Supervisory employees not more than bi-weekly	\$425.00
Secretarial employees not more than bi-weekly	\$350.00
General employees not more than bi-weekly	\$275.00
Custodial employees not more than bi-weekly	\$250.00

Provided however that nothing herein shall prevent the fixing of differing rates of compensation for individual employees within the same classification.

Section 6. (a) While the Legislature is in session, and subject to regulation by the members of the Legislative Council of the House of Representatives and the elected members of the Legislative Council of the Senate of the State of Alabama, there may be employed not more than the following personnel, in addition to the above described full-time employees; and also in addition to those employees assigned to the offices of the presiding officer of the respective house.

(1) For the Senate:

- 8 Supervisory employees;
- 47 Secretarial employees;
- 12 General employees;
- 3 Doorkeepers;
- 3 Custodial employees;
- 16 Pages.

(2) For the House of Representatives:

- 8 Supervisory employees;
- 70 Secretarial employees;
- 27 General employees;
- 6 Doorkeepers;
- 4 Custodial employees;
- 30 Pages.

(b) The compensation of employees who are employed while the legislature is in session shall be not more than the amount hereinafter prescribed, payable as the salaries of other state employees are paid. The exact amount of the compensation for each category of employees shall be fixed by the members of the Legislative Council of the House of Representatives and the elected members of the Legislative Council of the Senate of the State of Alabama

with the advice of the Secretary of the Senate and the Clerk of the House of Representatives with respect to their respective employees. Such compensation shall be as follows:

Supervisory employees not more than bi-weekly;	\$425.00
Secretarial employees not more than bi-weekly	\$350.00
General employees not more than bi-weekly	\$275.00
Doorkeepers not more than bi-weekly	\$250.00
Custodial employees not more than bi-weekly	\$250.00
Pages not more than bi-weekly	\$ 90.00

Provided, however, that nothing herein shall prevent the fixing of differing rates of compensation for individual employees within the same classification.

(c) The Secretary of the Senate and the Clerk of the House of Representatives are authorized to retain for a period of not to exceed six weeks following the close of a Regular or Special Session of the legislature such employees as are required for the purpose of checking, comparing, completing and filing the journals of their respective houses in the office of the Secretary of State; but the total number of employees so retained after a session ceases shall not exceed 24 employees for the Senate and 30 employees for the House of Representatives, including the full-time employees of each house who may also be engaged in such work.

(d) Until such time as the members of the Legislative Council of the House of Representatives and the elected members of the Legislative Council of the Senate of the State of Alabama shall fix the exact number of employees which may be employed by each House and their exact rate of compensation, the number of authorized employees and their rate or rates of compensation shall be that previously fixed by legislative act or resolution as of May 1, 1973.

Section 7. In addition to those employees of the Legislature hereinabove provided, the presiding officers of each of the two houses shall each be authorized to employ one administrative assistant at a rate of compensation not to exceed \$12,000.00 per annum and two secretarial employees at a rate of compensation not more than that authorized to be paid full-time supervisory employees; provided further that during any regular or special session of the Alabama Legislature the presiding officers of each of the two Houses shall be authorized two additional temporary secretarial employees at a rate of compensation not more than that authorized to be paid for secretarial employees. The compensation of such administrative assistants and secretarial employees for the presiding officers shall be payable as the salaries of other state employees are paid.

REGULAR SESSION
11th Day

917

Section 8. Senate pages shall be selected or appointed as may be provided by resolution of the Senate, and House pages shall be appointed by the Speaker of the House.

Section 9. In the selection of the employees of the Legislature, there shall be no discrimination on account of sex, race, creed or color.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. All laws and parts of law, including any and all provisions in Code of Alabama 1940, Title 32, as amended or supplemented, which conflict herewith are hereby repealed; however, nothing herein shall be construed to repeal any provisions of Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 11 (a), 12, 13, 15, 16, 23, 24, 27, 28, 29, 30 or 31 of said Title 32.

Section 12. This Act shall have effect on and after May 1, 1973.

SUBSTITUTE MOTION TABLED

On motion of Mr. Lyons, the substitute motion offered by Mr. Warren that the House non-concur in the Senate amendment to the bill, H. 413, and request a Committee on Conference, was tabled.

Yeas 62; Nays 37.

Yeas:

Mr. Speaker	Doss	McCluskey	Robertson
Adams	Downing	McDonald	St. John
Agee	Drake	McMillan	Smith (P)
Bank	Easters	Mathews	Snell
Boles	Falkenburg	Meeks	Stewart
Brassell	Fite	Merrill	Stokes
Burgess	Flippo	Nettles	Stubbs
Callahan	Goodwin	O'Daniel	Taylor
Carnes	Grainger	Parker	Therrell
Carter	Grey (D)	Perloff	Turner
Chesnut	Harris	Porter	Waggoner
Collins	Headley	Pruitt	Waldrop
Connell	Hill	Reid (R)	Williams
Coshatt	Hobbie	Reynolds	Wood
Cottingham	Jones (F)	Roberts	Wynot
Cross	King		

—62

Nays:

Messrs.:	Crowe	Hughes	Owens
Adwell	Culver	Jackson	Slate
Barkett	Dill	Kinsey	Smith (K)
Barron	Edwards	Lang	Timmons
Bassett	Ellis	Lutz	Turnham
Benton	Erdreich	McNair	Wallace
Bowers	Gafford	Manley	Warren
Casey	Hale	Mims	Weeks
Cauthen	Hardin	Naramore	Wise
Crawford	Hearn		

—37

The question was then on the motion of Mr. Lyons that the House concur in and adopt the Senate amendment to the bill, H. 413, and the motion was adopted.

Yeas 77; Nays 21.

Yeas:

Mr. Speaker	Drake	King	Reid (R)
Adams	Easters	Kinsey	Reynolds
Agee	Edwards	McCluskey	Roberts
Bank	Erdreich	McCorquodale	Robertson
Boles	Falkenburg	McDonald	St. John
Brassell	Fite	McMillan	Smith (P)
Burgess	Flippo	Manley	Snell
Callahan	Gafford	Mathews	Stewart
Carnes	Goodwin	May	Stokes
Carter	Grainger	Meeks	Stubbs
Chesnut	Gray (F)	Merrill	Taylor
Collins	Grey (D)	Nettles	Turner
Connell	Hale	O'Daniel	Waggoner
Coshatt	Headley	Owens	Waldrop
Cottingham	Hearn	Parker	Wallace
Cross	Hill	Perloff	Weeks
Culver	Hobbie	Porter	Williams
Dill	Hughes	Pruitt	Wood
Doss	Jones (F)	Reed (T)	Wynot
Downing			

—77

Nays:

Messrs.:	Bowers	Hardin	Smith (K)
Adwell	Casey	Jackson	Timmons
Barkett	Cauthen	Lutz	Turnham
Barron	Crawford	Naramore	Warren
Bassett	Crowe	Slate	Wise
Benton	Ellis		

—21

And the bill:

H. 413. To vest in the members of the Legislative Council of the House of Representatives and the elected members of the Legislative Council of the Senate of the State of Alabama the authority to regulate the employment of all legislative employees and to prescribe and designate work areas for all such employees and specific areas of legislative activity, and to fix the maximum permissible number of legislative employees and the maximum permissible rates of compensation for such employees as herein provided; and to authorize the presiding officers of each house of the Legislature to employ certain employees or assistants.

As thus amended, was again read at length and passed.

Yeas 85; Nays 15.

Yeas:

Mr. Speaker	Brassell	Chesnut	Culver
Adams	Burgess	Collins	Dill
Adwell	Callahan	Connell	Doss
Agee	Carnes	Coshatt	Downing
Bank	Carter	Cottingham	Drake
Boles	Casey	Cross	Easters

REGULAR SESSION
11th Day

919

Edwards	Hughes	Merrill	Snell
Ellis	Jackson	Nettles	Stewart
Erdreich	Jones (F)	O'Daniel	Stokes
Falkenburg	King	Owens	Stubbs
Fite	Kinsey	Parker	Taylor
Flippo	Lang	Perloff	Therrell
Gafford	McCluskey	Porter	Timmons
Goodwin	McCorquodale	Pruitt	Turner
Grainger	McDonald	Reed (T)	Waggoner
Gray (F)	McMillan	Reid (R)	Waldrop
Grey (D)	McNair	Reynolds	Wallace
Hale	Manley	Roberts	Weeks
Headley	Mathews	Robertson	Williams
Hearn	May	St. John	Wood
Hill	Meeks	Smith (P)	Wynot
Hobbie			

—85

Nays:

Messrs.:	Benton	Lutz	Smith (K)
Barkett	Cauthen	Mims	Turnham
Barron	Crawford	Naramore	Warren
Bassett	Hardin	Slate	Wise

—15

RESOLUTION

The following resolution was introduced:

By Messrs. Weeks, Bowers, Meeks, Ellis, McNair and Boutwell:

H. J. R. 98. OBSERVANCE OF FLAG DAY, JUNE 14, 1973.

WHEREAS, the United States Flag is symbolic of the monumental tasks and accomplishments of the American man; and

WHEREAS, this flag is a symbol of the democracy won by the courageous fighting spirits of dedicated men who so selflessly endeavored to protect the honors and glories of her name; and

WHEREAS, we the people of these United States honor, love, respect and cherish this great flag and all it represents; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That we express our enthusiastic admiration by taking a moment out of our busy lives to reflect on its greatness and offer thanks for all that has been accomplished in her name.

On motion of Mr. Weeks, the rules were suspended and the resolution, **H. J. R. 98**, was adopted.

CO-SPONSORS ADDED

Unanimous consent was granted for all members of the House to have their names added as co-sponsors to the resolution, **H. J. R. 98**.

BILLS ON THIRD READING

And the bill:

H. 670. To permit banks now or hereafter situated in Washington County to establish, maintain or operate branch banks and branch offices

within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Mims	Waggoner
Casey	Gray (D)	Naramore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes	Reed (T)	

—103

And the bill:

H. 671. Relating to counties having a population of not less than 16,000 nor more than 16,250 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Boles	Cauthen	Culver
Adams	Boutwell	Chesnut	Dill
Adwell	Bowers	Collins	Doss
Agee	Brassell	Connell	Downing
Bank	Burgess	Coshatt	Drake
Barkett	Callahan	Cottingham	Easters
Barron	Carnes	Crawford	Edwards
Bassett	Carter	Cross	Ellis
Benton	Casey	Crowe	Erdreich

REGULAR SESSION
11th Day

921

Falkenburg	Jones (F)	Nettles	Stokes
Fite	King	O'Daniel	Stubbs
Flippo	Kinsey	Owens	Taylor
Gafford	Lang	Parker	Therrell
Goodwin	Lutz	Perloff	Timmons
Grainger	McCluskey	Porter	Turner
Gray (F)	McCorquodale	Pruitt	Turnham
Grey (D)	McDonald	Reed (T)	Waggoner
Hale	McMillan	Reid (R)	Waldrop
Hardin	McNair	Reynolds	Wallace
Harris	Manley	Roberts	Warren
Headley	Mathews	Robertson	Weeks
Hearn	May	St. John	Williams
Hill	Meeks	Slate	Wise
Hobbie	Merrill	Smith (K)	Wood
Hughes	Mims	Smith (P)	Wynot
Jackson	Naramore	Stewart	

—103

And the bill:

H. 722. To regulate further the compensation of registrars in Houston County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes	Reed (T)	

—103

And the bill:

H. 723. Relating to Houston County; Providing for the payment of the Salary and expense allowance to the coroner of said county and to vali-

date salary and expense allowance heretofore paid to the coroner by the governing body and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes	Reed (T)	

—103

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. McBride due to his absence from the State on business.

BILLS ON THIRD READING RESUMED

And the bill:

H. 724. To repeal Act Number 1360, H. 2200, approved September 17, 1971, page 2302, Regular Session 1971, entitled "An Act to provide an additional expense allowance for the tax collector, tax assessor and county revenue commissioner of Houston County."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Brassell
Adams	Barkett	Boles	Burgess
Adwell	Barron	Boutwell	Callahan
Agee	Bassett	Bowers	Carnes

REGULAR SESSION
11th Day

923

Carter	Flippo	McDonald	St. John
Casey	Gafford	McMillan	Slate
Cauthen	Goodwin	McNair	Smith (K)
Chesnut	Grainger	Manley	Smith (P)
Collins	Gray (F)	Mathews	Stewart
Connell	Grey (D)	May	Stokes
Coshatt	Hale	Meeks	Stubbs
Cottingham	Hardin	Merrill	Taylor
Crawford	Harris	Mims	Therrell
Cross	Headley	Naramore	Timmons
Crowe	Hearn	Nettles	Turner
Culver	Hill	O'Daniel	Turnham
Dill	Hobbie	Owens	Waggoner
Doss	Hughes	Parker	Waldrop
Downing	Jackson	Perloff	Wallace
Drake	Jones (F)	Porter	Warren
Easters	King	Pruitt	Weeks
Edwards	Kinsey	Reed (T)	Williams
Ellis	Lang	Reid (R)	Wise
Erdreich	Lutz	Reynolds	Wood
Falkenburg	McCluskey	Roberts	Wynot
Fite	McCorquodale	Robertson	

—103

And the bill:

H. 725. To provide for reimbursing the probate judge, county revenue commissioner, clerk circuit court and register of the circuit court of Houston County, Alabama, for certain expenses incurred while out of the county in performance of the duties as such county official, reimburse each the cost of membership in his association including actual expenses incurred traveling to and from and attendance of such meeting.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Connell	Gray (F)	Manley
Adams	Coshatt	Grey (D)	Mathews
Adwell	Cottingham	Hale	May
Agee	Crawford	Hardin	Meeks
Bank	Cross	Harris	Merrill
Barkett	Crowe	Headley	Mims
Barron	Culver	Hearn	Naramore
Bassett	Dill	Hill	Nettles
Benton	Doss	Hobbie	O'Daniel
Boles	Downing	Hughes	Owens
Boutwell	Drake	Jackson	Parker
Bowers	Easters	Jones (F)	Perloff
Brassell	Edwards	King	Porter
Burgess	Ellis	Kinsey	Pruitt
Callahan	Erdreich	Lang	Reed (T)
Carnes	Falkenburg	Lutz	Reid (R)
Carter	Fite	McCluskey	Reynolds
Casey	Flippo	McCorquodale	Roberts
Cauthen	Gafford	McDonald	Robertson
Chesnut	Goodwin	McMillan	St. John
Collins	Grainger	McNair	Slate

Smith (K)	Taylor	Waggoner	Williams
Smith (P)	Therrell	Waldrop	Wise
Stewart	Timmons	Wallace	Wood
Stokes	Turner	Warren	Wynot
Stubbs	Turnham	Weeks	

—103

And the bill:

H. 726. To amend Section 1 and Section 6 of Act Number 870 page 1630, H. 1521, of the regular session of the Legislature of Alabama 1971, entitled, "An Act to provide for the salary of the Sheriff of Houston County and the payment of the expenses of operating his office."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flipppo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Namamore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes	Reed (T)	

—103

And the bill:

H. 727. To provide for reimbursing the employees of the Probate Judge, County revenue commissioner, Clerk circuit court and the register of the circuit court of Houston County, Alabama, for expenses incurred in travel outside their respective county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

11th Day

Brassell	Erdreich	McCluskey	Robertson
Burgess	Falkenburg	McCorquodale	St. John
Callahan	Fite	McDonald	Slate
Carnes	Flippo	McMillan	Smith (K)
Carter	Gafford	McNair	Smith (P)
Casey	Goodwin	Manley	Stewart
Cauthen	Grainger	Mathews	Stokes
Chesnut	Gray (F)	May	Stubbs
Collins	Grey (D)	Meeks	Taylor
Connell	Hale	Merrill	Therrell
Coshatt	Hardin	Mims	Timmons
Cottingham	Harris	Naramore	Turner
Crawford	Headley	Nettles	Turnham
Cross	Hearn	O'Daniel	Waggoner
Crowe	Hill	Owens	Waldrop
Culver	Hobbie	Parker	Wallace
Dill	Hughes	Perloff	Warren
Doss	Jackson	Porter	Weeks
Downing	Jones (F)	Pruitt	Williams
Drake	King	Reed (T)	Wise
Easters	Kinsey	Reid (R)	Wood
Edwards	Lang	Reynolds	Wynot
Ellis	Lutz	Roberts	

—103

And the bill:

H. 763. To amend further Section 1 of Act No. 1170, S. 674, Regular Session 1969 (Acts 1969, p. 2179) as amended, which provides for the regulation of annual salaries of sheriffs of the several counties of the state, classified on a population basis, with compensation being on a salary basis, so as to provide that in all counties having a population of not less than 26,000 nor more than 26,800, the annual salary of the sheriff shall be not less than \$13,000 nor more than \$15,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Collins	Goodwin	McDonald
Adams	Connell	Grainger	McMillan
Adwell	Coshatt	Gray (F)	McNair
Agee	Cottingham	Grey (D)	Manley
Bank	Crawford	Hale	Mathews
Barkett	Cross	Hardin	May
Barron	Crowe	Harris	Meeks
Bassett	Culver	Headley	Merrill
Benton	Dill	Hearn	Mims
Boles	Doss	Hill	Naramore
Boutwell	Downing	Hobbie	Nettles
Bowers	Drake	Hughes	O'Daniel
Brassell	Easters	Jackson	Owens
Burgess	Edwards	Jones (F)	Parker
Callahan	Ellis	King	Perloff
Carnes	Erdreich	Kinsey	Porter
Carter	Falkenburg	Lang	Pruitt
Casey	Fite	Lutz	Reed (T)
Cauthen	Flippo	McCluskey	Reid (R)
Chesnut	Gafford	McCorquodale	Reynolds

Roberts	Stewart	Turner	Weeks
Robertson	Stokes	Turnham	Williams
St. John	Stubbs	Waggoner	Wise
Slate	Taylor	Waldrop	Wood
Smith (K)	Therrell	Wallace	Wynot
Smith (P)	Timmons	Warren	

—103

And the bill:

H. 810. To provide an additional expense allowance for the judge of the circuit court of the twenty-sixth judicial circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Mims	Waggoner
Casey	Gray (D)	Naramore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes	Reed (T)	

—103

And the bill:

H. 846. Relating to counties having populations of not less than 33,550 nor more than 34,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; and repealing conflicting Acts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
11th Day

927

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Mims	Waggoner
Casey	Gray (D)	Naramore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes	Reed (T)	

—103

And the bill:

H. 848. To further amend Section 2 of Act No. 31, S. 16, Special Session 1962 (Acts 1962, p. 42) as amended, which Act provides further for the compensation of members of the county board of education in certain counties having a population of not less than 16,000 nor more than 16,250 inhabitants.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Carnes	Downing	Hardin
Adams	Carter	Drake	Harris
Adwell	Casey	Easters	Headley
Agee	Cauthen	Edwards	Hearn
Bank	Chesnut	Ellis	Hill
Barkett	Collins	Erdreich	Hobbie
Barron	Connell	Falkenburg	Hughes
Bassett	Coshatt	Fite	Jackson
Benton	Cottingham	Flippo	Jones (F)
Boles	Crawford	Gafford	King
Boutwell	Cross	Goodwin	Kinsey
Bowers	Crowe	Grainger	Lang
Brassell	Culver	Gray (F)	Lutz
Burgess	Dill	Gray (D)	McCluskey
Callahan	Doss	Hale	McCorquodale

11th Day

McDonald	O'Daniel	St. John	Turnham
McMillan	Owens	Slate	Waggoner
McNair	Parker	Smith (K)	Waldrop
Manley	Perloff	Smith (P)	Wallace
Mathews	Porter	Stewart	Warren
May	Pruitt	Stokes	Weeks
Meeks	Reed (T)	Stubbs	Williams
Merrill	Reid (R)	Taylor	Wise
Mims	Reynolds	Therrell	Wood
Namamore	Roberts	Timmons	Wynot
Nettles	Robertson	Turner	

—103

And the bill:

H. 865. Relating to counties having a population of not less than 38,100 and not more than 40,500, according to the last federal decennial census, and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Mims	Waggoner
Casey	Gray (D)	Namamore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes	Reed (T)	

—103

And the bill:

H. 875. To amend the title and Section 1 of Act No. 530, S. 562, Regular Session 1967 (Acts 1967, p. 1275), which Act provides further for compensation of the members of the county board of education in certain counties classified on a population basis; providing retroactive effect.

REGULAR SESSION
11th Day

929

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Huges	Reed (T)	

—103

And the bill:

H. 888. Relating to the powers of counties having populations of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; authorizing the governing bodies of such counties to adopt ordinances which protect the historic architectural character of the county, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Boles	Cauthen	Culver
Adams	Boutwell	Chesnut	Dill
Adwell	Bowers	Collins	Doss
Agee	Brassell	Connell	Downing
Bank	Burgess	Coshatt	Drake
Barkett	Callahan	Cottingham	Easters
Barron	Carnes	Crawford	Edwards
Bassett	Carter	Cross	Ellis
Benton	Casey	Crowe	Erdreich

Falkenburg	Jones (F)	Nettles	Stokes
Fite	King	O'Daniel	Stubbs
Flippo	Kinsey	Owens	Taylor
Gafford	Lang	Parker	Therrell
Goodwin	Lutz	Perloff	Timmons
Grainger	McCluskey	Porter	Turner
Gray (F)	McCorquodale	Pruitt	Turnham
Grey (D)	McDonald	Reed (T)	Waggoner
Hale	McMillan	Reid (R)	Waldrop
Hardin	McNair	Reynolds	Wallace
Harris	Manley	Roberts	Warren
Headley	Mathews	Robertson	Weeks
Hearn	May	St. John	Williams
Hill	Meeks	Slate	Wise
Hobbie	Merrill	Smith (K)	Wood
Hughes	Mims	Smith (P)	Wynot
Jackson	Naramore	Stewart	

—103

And the bill:

H. 917. Relating to any county having a population of not less than 15,400 nor more than 15,625, for fixing the salary of the county superintendent of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes	Reed (T)	

—103

And the bill:

H. 918. Relating to all counties having a population of not less than 16,000 nor more than 16,250, according to the most recent federal decennial

REGULAR SESSION
11th Day

931

census; to provide for the compensation of the county superintendent of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes	Reed (T)	

—103

UNFINISHED BUSINESS

The House then proceeded to the consideration of the Unfinished Business.

And the bill:

H. 209. To amend Section 11 of Act No. 492 of the General Acts of the Regular Session of the Alabama Legislature of 1947, to provide that after fifty percent completion has been accomplished no further retainage will be withheld.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 7.

Yeas:

Mr. Speaker	Bowers	Connell	Downing
Adams	Brassell	Coshatt	Drake
Barron	Callahan	Cross	Edwards
Bassett	Carter	Crowe	Ellis
Boles	Cauthen	Culver	Falkenburg
Boutwell	Chesnut	Dill	Fite

Flippo	Hughes	Naramore	St. John
Gafford	King	Nettles	Slate
Goodwin	Lutz	O'Daniel	Smith (K)
Grainger	McCluskey	Owens	Smith (P)
Gray (F)	McCorquodale	Parker	Stokes
Grey (D)	McDonald	Porter	Stubbs
Hale	McMillan	Reed (T)	Therrell
Hardin	Manley	Reid (R)	Turnham
Harris	Mathews	Reynolds	Wallace
Hearn	Meeks	Roberts	Williams
Hill	Merrill	Robertson	Wynot
Hobbie			

—69

Nays:

Messrs.:	Casey	Crawford	Turner
Carnes	Cottingham	Stewart	Wood

—7

H. 323 RECOMMITTED

On motion of Mr. Mathews to recommit, the bill, H. 323, was recommit-
 ted to the Standing Committee on Ways and Means.

BILLS ON THIRD READING RESUMED

And the bill:

H. 390. (With Substitute) (With Amendment): To amend Title 13,
 Section 350; to raise the age of "juvenile to 18".

Was taken up.

H. 390 POSTPONED

On motion of Mr. Lutz, the bill, H. 390 with pending substitute and
 amendment, was postponed to the twelfth legislative day.

And the bill:

H. 667. To provide for the adoption of adult persons and to declare
 the rights of the adopter and the adopted person.

Was read a third time at length and passed, and ordered sent forthwith
 to the Senate without engrossment.

Yeas 78; Nays 2.

Yeas:

Mr. Speaker	Callahan	Culver	Grey (D)
Adams	Carnes	Dill	Hale
Agee	Carter	Downing	Harris
Barkett	Casey	Drake	Hearn
Barron	Cauthen	Ellis	Hill
Bassett	Chesnut	Erdreich	Hobbie
Benton	Connell	Falkenburg	Hughes
Boles	Coshatt	Fite	Jackson
Boutwell	Cottingham	Flippo	King
Bowers	Crawford	Goodwin	Lutz
Brassell	Cross	Grainger	McCorquodale
Burgess	Crowe	Gray (F)	McDonald

REGULAR SESSION
11th Day

933

McMillan	O'Daniel	Slate	Turnham
McNair	Parker	Smith (K)	Wallace
Manley	Perloff	Stokes	Weeks
Mathews	Porter	Stubbs	Williams
Meeks	Reid (R)	Taylor	Wise
Merrill	Reynolds	Therrell	Wood
Naramore	Robertson	Timmons	Wynot
Nettles	St. John		

—78

Nays: Messrs. McCluskey and Smith (P). —2

And the bill:

H. 230. To regulate further license plates or tags for motor vehicles, directing the commissioner of revenue to design license plates or tags so as to adapt to Alabama the registration (license plate) numbering system developed by the American Association of Motor Vehicle Administrators.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 32.

Yeas:

Messrs.:	Coshatt	Jackson	Porter
Adams	Cross	Jones (F)	Roberts
Adwell	Crowe	King	St. John
Agee	Dill	Kinsey	Slate
Barron	Drake	Lutz	Smith (K)
Bassett	Erdreich	McCluskey	Smith (P)
Benton	Fite	McDonald	Stewart
Brassell	Flippo	McMillan	Taylor
Burgess	Grainger	McNair	Therrell
Callahan	Gray (F)	Meeks	Timmons
Carnes	Hale	Merrill	Waggoner
Carter	Hardin	Naramore	Waldrop
Casey	Harris	Nettles	Wallace
Cauthen	Hearn	Parker	Wynot
Chesnut	Hill		

—57

Nays:

Mr. Speaker	Culver	Hughes	Reynolds
Bank	Downing	McCorquodale	Robertson
Barkett	Easters	Manley	Snell
Boutwell	Edwards	Mims	Stokes
Bowers	Ellis	Owens	Turner
Connell	Falkenburg	Perloff	Warren
Cottingham	Goodwin	Pruitt	Wise
Crawford	Hobbie	Reid (R)	Wood

—32

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for the Journal to show Mr. Pruitt voting "Yea" on the bill, H. 667.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 413. To vest in the members of the Legislative Council of the House of Representatives and the elected members of the Legislative Council of the Senate of the State of Alabama the authority to regulate the employment of all legislative employees and to prescribe and designate work areas for all such employees and specific areas of legislative activity, and to fix the maximum permissible number of legislative employees and the maximum permissible rates of compensation for such employees as herein provided; and to authorize the presiding officers of each house of the Legislature to employ certain employees or assistants.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill

H. 110. Relating to crimes and offenses; amending further Section 420, Title 14, Code of Alabama 1940, which prohibits certain acts on Sunday.

Was taken up.

H. 110 POSTPONED

On motion of Mr. Gafford, the bill, H. 110, was postponed to the twelfth legislative day.

And the bill:

H. 197. To create a nonprofit unincorporated legal entity to be known as the Alabama Insurance Guaranty Association; stating that the purpose of this Act is to provide a mechanism for the payment of claims of claimants and policyholders of certain insolvent insurance companies; providing for a Board of Directors and prescribing the powers and duties of the Association; providing for a plan of operation of the Association subject to the approval of the Superintendent of Insurance; prescribing the duties and powers of the Superintendent of Insurance; providing that the Association shall be subject to examination and regulation of the Superintendent of Insurance.

REGULAR SESSION
11th Day

935

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 1.

Yeas:

Mr. Speaker	Culver	Kinsey	Roberts
Adams	Dill	Lutz	Robertson
Adwell	Doss	McCluskey	St. John
Agee	Downing	McCorquodale	Slate
Bank	Easters	McDonald	Smith (K)
Barkett	Edwards	McMillan	Smith (P)
Barron	Ellis	McNair	Snell
Bassett	Erdreich	Manley	Stewart
Benton	Falkenburg	Mathews	Stokes
Boles	Fite	May	Stubbs
Boutwell	Flippo	Meeks	Taylor
Bowers	Goodwin	Merrill	Therrell
Brassell	Grainger	Mims	Timmons
Burgess	Gray (F)	Naramore	Turner
Carnes	Hale	Nettles	Turnham
Carter	Hardin	Owens	Waggoner
Casey	Harris	Parker	Wallace
Chesnut	Headley	Perloff	Warren
Collins	Hearn	Porter	Weeks
Connell	Hill	Pruitt	Williams
Coshatt	Hobbie	Reed (T)	Wise
Cottingham	Hughes	Reid (R)	Wood
Crawford	Jackson	Reynolds	Wynot
Cross	Jones (F)		

—94

Nay: Mr. King.

—1

And the bill:

H. 200. To regulate further nonprofit corporations for establishment of plans for hospital and medical services; to amend further Sections 304, 305, 306, 307, 308, 309, 310, 311 and 313 of Title 28 of the Code of Alabama of 1940, as amended, relating to such nonprofit corporations; and to provide for the continuation of the existence of such corporations organized prior to and existing on the effective date of this Act.

Was taken up.

Mr. Owens offered the following amendment to the bill:

In Section 1, second paragraph, lines 4 and 5, strike the following words and figures: , together with other services and commodities incidental thereto.

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boutwell	Chesnut
Adams	Barron	Bowers	Collins
Adwell	Bassett	Brassell	Connell
Agee	Benton	Carnes	Cottingham
Bank	Boles	Carter	Crawford

Cross	Harris	Meeks	Snell
Dill	Hearn	Merrill	Stokes
Doss	Hill	Naramore	Stubbs
Downing	Hughes	Nettles	Taylor
Drake	Jackson	Owens	Therrell
Easters	Jones (F)	Parker	Timmons
Edwards	King	Perloff	Turner
Ellis	Kinsey	Porter	Turnham
Falkenburg	Lutz	Pruitt	Waggoner
Fite	McCluskey	Reed (T)	Waldrop
Flippo	McDonald	Reynolds	Wallace
Gafford	McMillan	Roberts	Warren
Goodwin	McNair	St. John	Weeks
Grainger	Manley	Slate	Williams
Gray (F)	Mathews	Smith (K)	Wise
Hale	May	Smith (P)	Wynot
Hardin			

—85

MOTION TO RE-REFER TABLED

On motion of Mr. Owens, the motion of Mr. Robertson to re-refer the bill, H. 200 as amended, was tabled.

Yeas 55; Nays 24.

Yeas:

Mr. Speaker	Connell	Kinsey	Reid (R)
Adams	Cross	Lutz	Roberts
Adwell	Dill	McCluskey	St. John
Agee	Doss	McCorquodale	Slate
Barkett	Drake	McDonald	Smith (P)
Boutwell	Easters	McMillan	Snell
Bowers	Flippo	Mathews	Stubbs
Brassell	Grainger	Meeks	Therrell
Callahan	Headley	Nettles	Timmons
Carter	Hearn	Owens	Turner
Casey	Hughes	Parker	Waggoner
Cauthen	Jackson	Perloff	Wallace
Chesnut	Jones (F)	Porter	Weeks
Collins	King	Pruitt	

—55

Nays:

Messrs.:	Crawford	Hale	Reynolds
Bank	Culver	Hardin	Robertson
Barron	Downing	Hobbie	Smith (K)
Bassett	Ellis	McNair	Stokes
Burgess	Erdreich	Manley	Waldrop
Carnes	Goodwin	Naramore	Wynot
Cottingham			

—24

MOTION TO POSTPONE TABLED

On motion of Mr. Owens, the motion of Mr. Robertson to postpone the bill, H. 200 as amended, to the fourteenth legislative day, was tabled.

Yeas 45; Nays 35.

Yeas:

Mr. Speaker	Barkett	Brassell	Collins
Adams	Boutwell	Carter	Connell
Adwell	Bowers	Casey	Cross

REGULAR SESSION
11th Day

937

Dill	Hill	McMillan	Smith (P)
Doss	Hughes	Manley	Snell
Drake	Jackson	Mathews	Timmons
Fite	King	Meeks	Turner
Flippo	Kinsey	Nettles	Turnham
Gafford	Lutz	Owens	Waggoner
Grainger	McCorquodale	Reid (R)	Wallace
Hardin	McDonald	St. John	Weeks
Headley			—45

Nays:

Messrs.:	Cottingham	Hobbie	Robertson
Agee	Crawford	Jones (F)	Smith (K)
Bank	Culver	McCluskey	Stewart
Barron	Downing	McNair	Stokes
Bassett	Ellis	Merrill	Therrell
Benton	Erdreich	Naramore	Waldrop
Burgess	Falkenburg	Parker	Warren
Carnes	Goodwin	Perloff	Wise
Cauthen	Hale	Reynolds	Wynot
			—35

MOTION TO POSTPONE TABLED

On motion of Mr. Owens, the motion of Mr. Burgess to postpone the bill, H. 200 as amended, to the twelfth legislative day, was tabled.

Yeas 40; Nays 39.

Yeas:

Mr. Speaker	Doss	King	Reid (R)
Adams	Fite	Lutz	Roberts
Barron	Gafford	McCluskey	Robertson
Bassett	Grainger	McCorquodale	St. John
Boutwell	Grey (D)	McDonald	Smith (P)
Bowers	Hale	McMillan	Snell
Brassell	Hardin	Mathews	Stokes
Collins	Harris	Nettles	Waggoner
Connell	Hill	Owens	Weeks
Crawford	Jackson	Parker	Wynot
			—40

Nays:

Messrs.:	Cross	Hughes	Slate
Agee	Culver	Jones (F)	Smith (K)
Barkett	Downing	McNair	Stewart
Benton	Ellis	Meeks	Taylor
Burgess	Erdreich	Merrill	Therrell
Carnes	Falkenburg	Naramore	Turner
Casev	Flippo	Perloff	Waldrop
Cauthen	Goodwin	Porter	Williams
Chesnut	Hearn	Pruitt	Wise
Cottingham	Hobbie	Reynolds	Wood
			—39

MOTION TO ADJOURN LOST

The motion of Mr. Manley that the House adjourn until 2:00 o'clock p.m., Tuesday, June 19, 1973, was lost.

Yeas 30; Nays 53.

Yeas:

Messrs.:	Erdreich	Manley	Robertson
Bank	Falkenburg	Mathews	Slate
Bassett	Fite	May	Smith (K)
Brassell	Goodwin	Naramore	Therrell
Casey	Hardin	Parker	Turner
Chesnut	Hearn	Perloff	Williams
Cottingham	Hill	Reed (T)	Wood
Downing	Kinsey	Reynolds	

—30

Nays:

Mr. Speaker	Cross	King	Reid (R)
Adams	Culver	Lutz	Roberts
Agee	Doss	McCluskey	Smith (P)
Barkett	Easters	McCorquodale	Stewart
Barron	Flippo	McDonald	Stokes
Benton	Grainger	McMillan	Stubbs
Boles	Gray (F)	McNair	Taylor
Boutwell	Grey (D)	Meeks	Waggoner
Burgess	Hale	Merrill	Waldrop
Carnes	Headley	Mims	Wallace
Cauthen	Hughes	Nettles	Weeks
Collins	Jackson	Owens	Wise
Connell	Jones (F)	Porter	Wynot
Crawford			

—53

MOTION TO POSTPONE ADOPTED

On motion of Mr. Robertson, the bill, H. 200 as amended, was postponed to the twelfth legislative day.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Boutwell:

H. J. R. 99. WHEREAS, several economic advisors to the present Nixon Administration have urged prompt enactment of an increase in the gasoline tax from the present rate of four cents per gallon to ten cents per gallon.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we go on record as opposing the proposed increase in the gasoline tax.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to President Nixon.

The resolution, H. J. R. 99, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Smith (K):

H. J. R. 100. NAMING HIGHWAY 49 FROM I-85 NORTH TO DADEVILLE THE "STILLWATER HIGHWAY"

WHEREAS the beautiful Stillwater Resort has rapidly become one of the South's most outstanding attractions. This resort area has the unusual feature of being a city within a city with many beautiful homes overlooking the lake; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Highway 49 in Tallapoosa County from I-85 North to Dadeville be named the "Stillwater Highway" and the State Highway Department shall cause appropriate signs and markers to be erected along said area so designating it.

The resolution, H. J. R. 100, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Reed (T):

H. J. R. 101. TO REQUEST THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION TO PROVIDE ADEQUATE CLOTHING FOR THE NATION'S UNDERPRIVILEGED.

WHEREAS, the Congress of the United States has recognized the need of the poor and underprivileged of this nation and has established the Food Stamp Program to provide assistance to the poor and underprivileged, and

WHEREAS, the need for proper and adequate clothing is also a compelling necessity; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That

1. The Congress of the United States is hereby memorialized to enact legislation necessary to provide proper and adequate items of outer and under wear, head and foot wear for those citizens of this nation who do not have adequate clothing.

2. The clerk of the House of Representatives is directed to transmit a copy of this resolution to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Alabama delegation in Congress.

The resolution, H. J. R. 101, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Timmons:

H. J. R. 102. MOURNING THE DEATH OF CHARLES C. WILLIAMS

WHEREAS, Charles C. Williams attended grade school in Mississippi and received his LLB law degree from the University of Mississippi Law School and was admitted to the Alabama State Bar in the year 1940; and,

WHEREAS, he commenced the practice of law in Birmingham in Ensley with J. Haran Lowe and this partnership continued for more than thirty years; and,

WHEREAS, he served in the United States Army and was a member and leader of many civic, religious and charitable endeavors, including among them the Ensley Chamber of Commerce, Ensley Kiwanis Club, Salvation Army Board of Directors, Ducks Unlimited, and Independent Presbyterian Church; and was especially active and interested in the work of his church and served in various capacities, including Deacon, Elder, Sunday School teacher and President of the congregation; and,

WHEREAS, Mr. Williams was a man of exceptional legal ability in many ways; he had a singular capacity to rationalize in complex matters and arrive at a simple solution; he was a constant student of the law and possibly his most superlative professional quality was his capacity to assume a calm, sensible approach within the framework of the legal requirements of all problems; he attended the business of his clients with unusual efficiency, dedication and punctuality; and in the community where he practiced and was best known his ability as a lawyer was unanimously respected by layman and lawyer alike; and,

WHEREAS, transcending his superior legal skills was his innate sense of fair play and integrity in his personal and professional life at all times; and his word could be completely relied upon and he placed his honor above all other considerations; and,

WHEREAS, at the time of his death on February 24, 1973, Mr. Williams left surviving him his widow, Marna Bromberg Williams, and five children, Robert G. Williams; Marna B. Williams; Mary Carson Williams; C. Barkley Williams; and also Attorney C. Crawford Williams, Jr., who was with his father's firm in the practice of law; NOW, THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we note with profound regret the death of Mr. Williams, and pay this tribute to his memory. We mourn his death while at the same time expressing our grateful appreciation for his many deeds of service to his fellowman, and, collectively and individually, extend our sincere sympathy to his family.

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to members of his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 102, on the Clerk's desk for one legislative day.

Also:

By Mr. Timmons:

H. J. R. 103. MOURNING THE DEATH OF J. HARAN LOWE

WHEREAS, J. Haran Lowe, a native of Birmingham, Alabama, lived a life of dedicated service to his Bar Association, to his community, to his fellow sportsmen, to his country and to his church; and

WHEREAS, he was educated in the Birmingham public schools, graduating from Ensley High School and later, while working full time, graduated from the Birmingham School of Law in 1935, where his fellow students honored him by electing him president of the law school student body; and

WHEREAS, his service to his Bar Association is exemplified by the fact that throughout thirty-eight years of practice he was an executive member of the American and Birmingham Bar Associations, giving generously of his time and service on various committees of these organizations; and,

WHEREAS, his service to his community is exemplified by the many important positions of service and leadership in which he gave of himself; a few examples are as follows: He was President and Chairman of the Board of Directors of the Ensley Chamber of Commerce and served on its Board of Directors as Chairman of many of its important committees for many years. He served for many years on the Board of the Rotary International and the Kiwanis International, and he was president of the Ensley Business Mens' Association. He gave many rewarding hours in his capacity as Chairman of the Community Chest and the Committee of One Hundred for the City of Birmingham, and somehow managed to find time to devote himself to other important civic duties; and,

WHEREAS, J. Haran Lowe's zeal for sports interest are manifested in the various sporting organizations to which he belonged and his leadership in those areas are exemplified by the offices he held therein. For example, he served on the Board of Directors and was later Vice President and President of the Bluff Creek Hunting and Fishing Club. He served for many years on the Board of Directors of the Lake Guntersville Yacht Club and later served as Secretary, Rear-Commodore, Vice-Commodore and Commodore of the Lake Guntersville Yacht Club; and,

WHEREAS, during the years of World War Two, J. Haran Lowe gave unselfishly of his time in service as a civilian in the national defense effort; he was Captain of the Civil Defense in the Ensley area for three years and Executive Chairman of the war bonds sales staff. For his meritorious service throughout these years he received Special Civilian Citations for Outstanding Services to his country from both President Franklin D. Roosevelt and President Harry S. Truman as well as receiving an Outstanding Citizens Award from the City of Birmingham; and,

WHEREAS, J. Haran Lowe was a man of high religious convictions and gave much of his time in service for his respective churches; he served on the Board of Stewards for the Ensley Highlands Methodist Church and for the McCoy Methodist Church for many years and he later served on the Board of Stewards for the Canterbury Methodist Church, and to each of these churches he gave generously of his time and talent and served ably on their respective financial committees; and,

WHEREAS, at the time of his death on December 11, 1972, Mr. Lowe left surviving, his widow, Ruth Bruce Lowe and a son, J. Haran Lowe, Jr., a young man of much promise that he will follow in the great tradition of his father who as a practicing lawyer found time to render highly successful service to his Bar Association, to his community, to his fellowman, to his country and to his church; NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we note with profound regret the death of Mr. Lowe, and pay this tribute to his memory. We mourn his death while at the same time expressing our grateful appreciation for his many deeds of service to his fellowman, and, collectively and individually, extend our sincere sympathy to his family.

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to members of his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 103, on the Clerk's desk for one legislative day.

Also:

By Mr. Easters:

H. R. 104. NAMING A PUBLIC ROAD IN COFFEE COUNTY IN HONOR OF GENERAL ALLEN M. BURDETT.

WHEREAS General Allen M. Burdett has been extremely cooperative in opening an additional gate on the Fort Rucker Military Reservation and constructing several miles of road on his military base which allowed the connection of Fort Rucker with the Shell Field Road by means of an off the base road constructed by the Coffee County governing body and the Wallace administration through the State Highway Department; and

WHEREAS this road has improved the accessibility of Fort Rucker to many of the citizens of Coffee County and the general public throughout this area; and

WHEREAS this road is symbolic of the fine cooperation and consideration shown by General Allen M. Burdett to the citizens of Coffee County and the surrounding area in all of his relations with them; and

WHEREAS the people of Coffee County and the surrounding area are desirous of honoring General Allen M. Burdett by naming this road after him in perpetuity, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF THE STATE OF ALABAMA, That the road connecting Fort Rucker with the Shell Field Road in Coffee County be and the same is hereby named the General Allen M. Burdett Road.

BE IT FURTHER RESOLVED, That the State Highway Department is hereby instructed to so designate said road by the erection of proper signs.

BE IT FURTHER RESOLVED That the Clerk of the House of Representatives is hereby instructed to prepare a suitable copy of this resolution for presentation to General Burdett.

The resolution, H. R. 104, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill:

H. 405. To designate the wild turkey as the official state game bird for the State of Alabama.

Was taken up.

Mr. Stewart offered the following amendment to the bill: Delete the term "wild turkey" wherever it appears in this bill and insert in lieu thereof the following: Dominacker Pullet.

REGULAR SESSION
11th Day

943

AMENDMENT TABLED

On motion of Mr. Taylor, the amendment was tabled.

Yeas 77; Nays 5.

Yeas:

Mr. Speaker	Culver	Hobbie	Reed (T)
Adams	Dill	Jackson	Reid (R)
Adwell	Doss	Jones (F)	Reynolds
Barkett	Downing	King	Roberts
Benton	Drake	Kinsey	Robertson
Boles	Easters	Lutz	Slate
Boutwell	Edwards	McCluskey	Smith (K)
Bowers	Ellis	McCorquodale	Smith (P)
Brassell	Erdreich	McMillan	Stokes
Burgess	Flippo	McNair	Stubbs
Carnes	Gafford	May	Taylor
Carter	Goodwin	Meeks	Therrell
Casey	Grainger	Merrill	Turner
Chesnut	Gray (F)	Naramore	Turnham
Collins	Gray (D)	Nettles	Waggoner
Connell	Hale	Owens	Wallace
Coshatt	Harris	Parker	Weeks
Cottingham	Headley	Porter	Williams
Crawford	Hearn	Pruitt	Wise
Cross			

—77

Nays:

Messrs.:	McDonald	Stewart	Waldrop
Fite	St. John		

—5

Messrs. Turnham and Agee offered the following amendment to the bill:
Insert the word War Eagle instead of Wild Turkey where it appears in the bill.

AMENDMENT TABLED

On motion of Mr. Smith (P), the amendment was tabled.

Yeas 80; Nays 2.

Yeas:

Mr. Speaker	Casey	Gafford	McCorquodale
Adams	Chesnut	Goodwin	McDonald
Agee	Connell	Grainger	McMillan
Bank	Coshatt	Gray (F)	McNair
Barkett	Cottingham	Hale	Manley
Barron	Crawford	Hardin	May
Bassett	Culver	Harris	Meeks
Benton	Dill	Hearn	Merrill
Boles	Doss	Hobbie	Naramore
Boutwell	Downing	Hughes	Nettles
Bowers	Drake	Jackson	Porter
Brassell	Easters	Jones (F)	Pruitt
Burgess	Edwards	King	Reid (R)
Carnes	Erdreich	Lutz	Reynolds
Carter	Fite	McCluskey	Roberts

Robertson	Stewart	Turner	Weeks
St. John	Stokes	Turnham	Williams
Slate	Taylor	Waggoner	Wise
Smith (K)	Therrell	Wallace	Wood
Smith (P)	Timmons	Warren	Wynot
Nays: Messrs. Cauthen and Waldrop.			

—80

—2

CO-SPONSORS ADDED

At the request of Messrs. Taylor and Lyons, unanimous consent was granted for their names to be added as co-sponsors to the bill, H. 405.

And the bill, H. 405, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 1.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Crowe	Jackson	Reid (R)
Adwell	Culver	Jones (F')	Reynolds
Agee	Dill	King	Roberts
Bank	Doss	Kinsey	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McCluskey	Smith (K)
Bassett	Easters	McCorquodale	Smith (P)
Benton	Edwards	McDonald	Stewart
Boles	Ellis	McMillan	Stokes
Boutwell	Erdreich	McNair	Stubbs
Bowers	Falkenburg	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Headley	Parker	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot

—100

Nay: Mr. Slate.

—1

And the bill:

H. 224. Providing further for the conservation of the natural resources of the State; designating the caves and caverns of the State and the flora, fauna, mineral formations and deposits therein and other contents thereof as natural resources, worthy of preservation, protection and development for scenic, business and commercial purposes; regulating through licensure the use of such caves and their contents for business and commercial purposes; protecting the rights of property owners and the general public in caves; requiring cave owners to install and keep in repair certain equipment and abide by safety regulations, prescribed by the director of public safety, when caves are opened to

the public; to provide for safety inspections of caves; to establish the State Speleological Committee; to provide for the dissemination of information about Alabama caves to the owners thereof and to the public; to designate certain acts relative to caves and their contents as criminal offenses and to prescribe penalties therefor.

Was taken up.

Mr. Lutz offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

Providing further for the conservation of the natural resources of the State; designating the caves and caverns of the State and the flora, fauna, mineral formations and deposits therein and other contents thereof as natural resources, worthy of preservation, protection and development for scenic, scientific, business and commercial purposes; regulating through licensure the use of such caves and their contents for business and commercial purposes; protecting the rights of property owners and the general public in caves; requiring cave owners to install and keep in repair certain equipment and abide by safety regulations, prescribed by the director of public safety, when caves are opened to the public; to provide for safety inspections of caves; to establish the State Speleological Committee; to provide for the dissemination of information about Alabama caves to the owners thereof and to the public; to designate certain acts relative to caves and their contents as criminal offenses and to prescribe penalties therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. DEFINITIONS.

The following words and phrases when used in this Act shall for the purpose of this Act have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning.

A. Cave—any natural subterranean cavity that is either fifty feet in length or in depth, or any combination of length and depth totalling fifty feet or that a man can enter to a point where daylight cannot be seen, or that contains obligatory cavernicolous fauna (animals obliged to live underground). The word "cave" includes cavern, pit, pothole, well, sinkhole, and grotto.

B. Speleothem—a natural secondary mineral formation or deposit occurring in a cave. This includes or is synonymous with stalactites, stalagmites, helictes, anhydrite gypsum flowers, needles, or angel's hair, soda straws, draperies, bacon, cave pearls, popcorn, rimstone dams, columns, palettes, flowstone, etc. Speleothems are commonly composed of calcite, epsomite, gypsum, aragonite, celestite, and other similar minerals.

C. Wild cave—a cave essentially in its natural state. Wild caves are not used for any commercial purpose whatsoever nor shown on any scheduled basis to the public.

D. Commercial cave—a cave utilized by the owner or lessee for the purpose of exhibition to the public, as a profit or non-profit enterprise, wherein a fee is prerequisite or solicited as a condition of admittance.

E. Business cave—a cave used as business occupancy for manufacturing, storing, farming, mining, etc., requiring employees to enter such caves.

F. Exhibition cave—a cave opened to the public for no charge. Exhibition caves are not classed as commercial caves even though shown on a scheduled basis.

G. Natural state cave—its physical, ecological, and hydraulic condition or status at the time of passage of this Act.

H. Charge—any consideration, admission price, or fee asked in return for invitation or permission to enter or go upon the land or into the cave.

I. Voluntary donations—money or other thing of value paid without coercion and not considered charges or fees within the meaning of this Act.

J. Holder—the possessor of a fee interest, a tenant, lessee, occupant, or person in control of the premises.

K. Speleologist—a person especially knowledgeable and widely recognized as such by other cave explorers in some aspect of caves or caving, usually, but not exclusively, in one of the scientific fields.

L. Speleobiologist—a biologist who has specialized in some aspect of cave fauna and who is recognized as such by the cave exploring community.

M. Underground Wilderness Preserve—an underground cave or cavern system exhibiting some unique, special or pure example of an aspect or aspects of a scientific phenomenon so unusual as to be considered a part of the public heritage. Such Preserves could be sensitive to disturbance by human visitation or disruption, and are protected to preserve their special feature or ecological function for posterity.

Section 2. COMMITTEE.

A. The Governor shall appoint a committee of no less than four nor more than six persons, at least half of whom including the chairman are recommended by the President of the National Speleological Society, and all of whom are recognized as authorities in one or more of the following fields: mine safety, speleobiology, anthropology, speleology, geology, public health, and/or ground water resources, to assist in reaching decisions on all matters pertaining to caves which arise in connection with the administration of this Act. Such committee members are to be unpaid volunteers, residents of Alabama, and not necessarily state employees.

B. This committee shall be known, and is referred to throughout this Act, as the State Speleological Committee.

C. This committee shall meet at least semiannually and shall be empowered to act at meetings regardless of the number in attendance. Records of minutes and actions shall be maintained. The committee may draw up a charter defining further the mechanics of their operation, which must not be in conflict with any provisions of this Act.

Section 3. ACCESS AND OWNERSHIP.

A. Owners, both private and public, of cave property may control access to the caves by either of the following methods:

1. Normal posting procedures.
2. Affixing a permanent notice at every entrance to each cave stating restrictions, prohibitions, and any provisions for gaining entrance (if applicable), and a statement that violation of the restrictions or prohibitions will be a misdemeanor under this Act.
3. Affixing a gate, fence, or barrier over the entrance subject to the restrictions in Section 7 of this Act.

B. An owner may not permanently block, fill, flood, or close access to specifically designated caves, registered as preservation preserves by the State Speleological Committee pursuant to Section 7D.

C. Unless otherwise established through registration with the Department of Conservation and with the State Speleological Committee and clearly posted at the cave entrance, caves which are entirely or in part located within the boundaries of public property shall be open for recreational purposes to qualified cave explorers.

Section 4. LIABILITY.

A. Nothing in this article shall be construed to repeal or nullify the common law doctrine of attractive nuisance. It is intended to clarify this doctrine and specify a class of objects not to be included as attractive nuisances under said doctrine and other objects to be deemed attractive nuisances under such doctrine as follows:

1. Geologic, physical or other land or water features or formations, including caves, in their natural state shall not constitute attractive nuisances.
2. Man-made objects in or on these natural features or man-made modifications to such features shall constitute attractive nuisances.
3. Neither the owner nor the holder of natural earth or water features shall be liable for acts or injuries sustained by anyone using such features for recreational purposes, provided no fee or charge was solicited for such use, and provided such injury was not sustained in connection with a modification made by the owner or holder.

Section 5. VANDALISM.

A. It shall be unlawful and constitute a misdemeanor for any person, firm or corporation, including any officer, employee or agent of any town, or municipality, without the express prior permission of the owner, or in public caves without the express permission of the Speleological Committee to:

1. Break, break off, crack, carve upon, write, burn, or otherwise mark upon, remove, or in any other manner destroy, disturb, deface, mar, or harm the walls of a cave or any natural mineral material therein, including stalactites, stalagmites, helictites, anthodites, gypsum flowers or needles, angel's hair, flowstone, draperies, and columns, and all other forms and types of mineral formations, deposits, or speleothems found within any cave or cavern;

2. Discard litter or refuse in any cave or cavern;
3. Disturb or alter in any manner the natural condition of any cave or cavern;
4. Break, force, tamper with, remove, or otherwise disturb a lock, gate, door, or other structure or obstruction designed to control or prevent access to any cave or cavern, even though entrance thereto is authorized by the owner thereof, unless such breaking, forcing, removing or otherwise disturbing a lock is specifically ordered by the owner.

B. It shall be unlawful to offer for sale any speleothems obtained in contravention of Sec. 5, A. 1, in the State of Alabama or any speleothems obtained as authorized in said section except at licensed commercial caves selling material from their cave. It shall also be unlawful to export such items for sale elsewhere.

Section 6. WATER POLLUTION.

A. It shall be unlawful to:

1. Risk the pollution of the underground water resources of the state by storing, dumping, disposing, or otherwise placing in caves, sinkholes, natural pits, or any other natural depression that absorbs water, chemicals, refuse, dead animals, garbage, or other materials which are potentially injurious to the quality of the water and/or the water table.
2. Interrupt, divert, dam, or contaminate underground streams or water flow in caves except as approved by the State Speleological Committee.

B. Violation of this Section shall be a misdemeanor.

Section 7. BIOLOGICAL POLICY.

A. It shall be the policy of the State of Alabama to prevent the extermination of either plant or animal life in caves.

B. It shall be unlawful, constituting the crime of malicious vandalism, to remove, kill, harm or disturb any plant or animal life found within any cave or cavern.

C. Gates employed on the entrance of any cave, except commercial caves, for any purpose shall be of open construction to allow free and unimpeded passage of air, insects, bats, and aquatic fauna.

D. As the necessity arises, the State Speleological Committee is empowered to designate and establish certain caves as Underground Wilderness Preserves. These caves may be posted to prevent both accidental and intentional disruption of natural cave life. Such posting shall have the same authority, and carry the same penalties for violation thereof, as if posted by the owner or holder. These caves may not be closed, but may be gated subject to Section 7C.

E. The State Speleological Committee is authorized to establish a program of:

1. Education for the general public.
2. Education for cave property owners to help them in preserving caves and cave life within their property.

Section 8. ARCHEOLOGY.

A. Damaging archeological, paleontological or historic features of non-commercial caves.—Unauthorized excavation, removal, destruction, or damaging of an archeological, paleontological, or historical feature in any non-commercial cave will be regarded as a misdemeanor. No person shall knowingly and willfully excavate upon or remove, destroy, injure, or deface any historic or prehistoric ruins, burial grounds, archeological or paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archeological, paleontological, or historical feature situated in caves except with the express written permission of the State Speleological Committee.

Section 9. COMMERCIAL CAVES AND BUSINESS CAVES—LICENSING AND STANDARDS OF SAFETY:

A. The Department of Public Safety is authorized and directed to establish standards of safety, including regulations relative to guard rails, bridges, ladders, stairs, platforms, walkways, barriers, paths, lights and emergency lights, etc., for all commercial and business caves in Alabama and to enforce such standards.

B. The Department of Public Safety shall establish a licensing procedure with annual renewals for all commercial and business caves in Alabama which shall:

1. Require filing with such department and the State Speleological Committee of a detailed, written plan of all intended modifications, including a complete, true plan and elevation map of the cave, and stating that a copy of such map is at a readily accessible location near the cave entrance. These plans must be approved by the State Speleological Committee and the Department of Public Safety before alterations begin.

2. Provide that danger to public health and safety, destruction of valuable scientific, anthropological, or extensive destruction of speleothems shall be considered basis for rejection of submitted plans.

3. Require every owner, operator or agent in charge of a potential commercial or business cave, before using the cave for commercial or business purposes, to comply with all the reasonable requirements of the department of public safety, have the cave pass the initial safety inspection, and pay the inspection fee, obtain a license showing that the cave has been duly inspected and approved and conspicuously display such license at or near the tour or business entrance of the cave.

4. Commercial caves already in operation at the time of passage of this Act shall automatically be licensed upon application and as to them the provisions above are waived, provided application for such license is made within six months of the date of passage of this Act.

C. Commercial and business caves shall be inspected by the Department of Public Safety:

1. Initially, before licensing.

2. Annually after initial licensing. Failure to maintain the cave in a condition equal to or better than its condition at the time of initial licensing shall be cause for non-renewal of the license.

3. The Department of Public Safety is granted the authority to fix the fee for the initial and annual inspections to cover the cost of these inspections, but not to exceed \$200 for the initial inspection and \$50 for the annual inspection.

4. Presentation of a Certificate of Inspection by a recognized liability insurance company shall be accepted in lieu of the annual inspection.

Section 10. EXCEPTION.

A. Any provision of this Act may be waived provided a petition stating the reason(s), extent, limit, location, and expiration date of such request is filed with the State Speleological Committee and provided the Committee approves the petition.

1. All or part of a petition may be rejected, or more information may be requested before final determination is made on the matter.

2. No action at all within 90 days of receipt by the State Speleological Committee of a petition, modification, or additional information, shall constitute automatic approval.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hobbie	Reid (R)
Adams	Cross	Hughes	Reynolds
Agee	Crowe	Jackson	Slate
Barkett	Culver	Jones (F)	Smith (K)
Barron	Dill	King	Smith (P)
Bassett	Doss	Kinsey	Stewart
Benton	Downing	Lutz	Stokes
Boles	Drake	McCluskey	Stubbs
Boutwell	Easters	McCorquodale	Taylor
Bowers	Edwards	McMillan	Therrell
Brassell	Ellis	McNair	Timmons
Burgess	Erdreich	Manley	Turner
Callahan	Fite	Mathews	Turnham
Carnes	Flipppo	May	Waggoner
Carter	Gafford	Meeks	Waldrop
Casey	Goodwin	Merrill	Wallace
Cauthen	Grainger	Mims	Warren
Chesnut	Gray (F)	Naramore	Weeks
Collins	Hale	Nettles	Williams
Connell	Harris	Owens	Wise
Coshatt	Hearn	Porter	Wood
Cottingham	Hill	Reed (T)	Wynot

REGULAR SESSION
11th Day

951

Mr. Lutz offered the following amendment to the bill, H. 224, as amended: Amend H. B. 224 by adding the following Section 11 and re-numbering subsequent sections accordingly: Section 11. A. The provisions of this Act shall not be construed to prevent the filling of caves to prevent the escape of reservoir waters or to prevent the flooding of excavations or mines by the inflow of ground water; or to prevent the consolidation of foundations under existing or proposed structures.

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hobbie	Reid (R)
Adams	Crowe	Hughes	Reynolds
Adwell	Culver	Jackson	Roberts
Agee	Dill	Jones (F)	St. John
Barkett	Doss	King	Slate
Barron	Downing	Kinsey	Smith (K)
Bassett	Drake	Lang	Smith (P)
Benton	Easters	Lutz	Stewart
Boles	Edwards	McCluskey	Stokes
Boutwell	Ellis	McCorquodale	Stubbs
Bowers	Erdreich	McDonald	Taylor
Brassell	Falkenburg	McMillan	Therrell
Burgess	Fite	McNair	Timmons
Callahan	Flippo	Manley	Turner
Carnes	Gafford	May	Turnham
Carter	Goodwin	Meeks	Waggoner
Casey	Grainger	Merrill	Wallace
Cauthen	Gray (F)	Mims	Warren
Chesnut	Hale	Naramore	Weeks
Collins	Hardin	Nettles	Williams
Connell	Harris	Owens	Wise
Coshatt	Hearn	Porter	Wood
Cottingham	Hill	Pruitt	Wynot
Crawford			

—93

And the bill:

H. 224. Providing further for the conservation of the natural resources of the State; designating the caves and caverns of the State and the flora, fauna, mineral formations and deposits therein and other contents thereof as natural resources, worthy of preservation, protection and development for scenic, scientific, business and commercial purposes; regulating through license the use of such caves and their contents for business and commercial purposes; protecting the rights of property owners and the general public in caves; requiring cave owners to install and keep in repair certain equipment and abide by safety regulations, prescribed by the director of public safety, when caves are opened to the public; to provide for safety inspections of caves; to establish the State Speleological Committee; to provide for the dissemination of information about Alabama caves to the owners thereof and to the public; to designate certain acts relative to caves and their contents as criminal offenses and to prescribe penalties therefor.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reid (R)
Adwell	Crowe	Jackson	Reynolds
Agee	Culver	Jones (F)	Roberts
Bank	Dill	King	St. John
Barkett	Doss	Kinsey	Slate
Barron	Downing	Lutz	Smith (K)
Bassett	Drake	McCluskey	Smith (P)
Benton	Easters	McCorquodale	Stewart
Boles	Edwards	McDonald	Stokes
Boutwell	Ellis	McMillan	Stubbs
Bowers	Erdreich	McNair	Taylor
Brassell	Falkenburg	Manley	Therrell
Burgess	Fite	Mathews	Timmons
Callahan	Flippo	May	Turner
Carnes	Gafford	Meeks	Turnham
Carter	Goodwin	Merrill	Waggoner
Casey	Grainger	Mims	Waldrop
Cauthen	Gray (F)	Naramore	Wallace
Chesnut	Hale	Nettles	Warren
Collins	Hardin	Owens	Weeks
Connell	Harris	Parker	Williams
Coshatt	Hearn	Porter	Wise
Cottingham	Hill	Pruitt	Wood
Crawford	Hobbie	Reed (T)	Wynot

—96

RESOLUTION

The following resolution was introduced:

By Messrs. Boles, Erdreich, Doss, McNair, Lyons, Drake, Grainger, McCorquodale, Dill, Timmons, McMillan, Reed (T), Gray (F), Coshatt, Robertson, Therrell, Ellis, Bank, Culver, Falkenburg, Naramore, Hughes, Jones (E), Bowers, Adwell, Parker, Stubbs, Owens, Headley, Meeks, Waldrop, Wallace, Waggoner, McBride and Weeks:

H. J. R. 105. THANKING SENATOR JOHN SPARKMAN FOR INTRODUCTION OF SENATE BILL 1772 WHICH PROVIDES AID TO IRON ORE MINERS WITH RED LUNG DISEASE AND THANKING SENATOR JIM ALLEN FOR HIS PLEDGE TO SUPPORT THE BILL. ALSO THANKING GOVERNOR GEORGE WALLACE FOR HIS STRONG SUPPORT FOR THIS BILL AND HIS CONCERN FOR THESE CITIZENS OF OUR GREAT STATE.

WHEREAS, the State of Alabama has been blessed with many natural resources; and

WHEREAS, these natural resources have played an important role in the development of the industrial potential of our state; and

WHEREAS, the process of extracting some of these resources for industrial use has caused some of our iron ore miners to be inflicted with red lung disease similar to the black lung disease inflicted in coal miners. Now with the advancement of technology and research and the improvement of mining conditions by U.S. Steel and other mining companies, our citizens will

be less and less susceptible to these diseases and hopefully these diseases will be prevented in future years; however, this does nothing to help those who have toiled for years in the past and are currently suffering from lung ailments due to iron ore dust in the mines; and

WHEREAS, many of the fine citizens of our state, both iron ore miners and widows of iron ore miners, are dependent upon the public because of their disability from red lung disease and they are looking to the government to pass legislation to aid them in their plight brought about by years of labor in our mines; and

WHEREAS, there have been meetings of iron ore miners for the past four years for the purpose of recognizing victims of red lung disease; and

WHEREAS, Senator John Sparkman has introduced Senate Bill 1772 which provides aid to iron ore miners with red lung disease or their widows, and Senator Jim Allen has pledged his support to the bill; and

WHEREAS, Governor George Wallace is very interested in seeing something done to aid these people of Alabama, the fruits of whose labor the entire state has benefited from, and has urged passage of the bill; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the President and Congress of the United States support and pass Senator John Sparkman's Senate Bill 1772 which provides benefits for iron ore miners suffering from red lung disease and their widows.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the President, the Chairman of the Senate Labor Committee, and the Alabama Congressional delegation.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 105, on the Clerk's desk for one legislative day.

BILLS ON THIRD READING RESUMED

And the bill:

H. 236. To amend Sections 1 and 2 of Act No. 266, H. 49, 1961 Special Session (Acts 1961, p. 2282) which regulates spear fishing, so as to delete the requirements for a special spear fishing license.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 2.

Yeas:

Mr. Speaker	Bowers	Coshatt	Ellis
Adwell	Brassell	Crawford	Erdreich
Agee	Burgess	Cross	Falkenburg
Bank	Callahan	Crowe	Fite
Barkett	Carnes	Culver	Flippo
Barron	Carter	Dill	Gafford
Bassett	Cauthen	Doss	Goodwin
Benton	Chesnut	Downing	Grainger
Boles	Collins	Easters	Gray (F)
Boutwell	Connell	Edwards	Hale

Hardin	McCorquodale	Porter	Therrell
Harris	McDonald	Pruitt	Timmons
Hearn	McMillan	Reed (T)	Turner
Hill	Manley	Reid (R)	Turnham
Hobbie	May	Reynolds	Waggoner
Hughes	Meeks	Roberts	Waldrop
Jackson	Merrill	St. John	Wallace
Jones (F)	Mims	Slate	Warren
King	Namamore	Smith (K)	Williams
Kinsey	Nettles	Smith (P)	Wise
Lutz	Owens	Stewart	Wood
McCluskey	Parker	Stokes	Wynot

—88

Nays: Messrs. Cottingham and Drake.

—2

And the bill:

H. 357. To further amend Sections 4, 10 and 15 of Act No. 784, H. 316, (page 1069) Acts of Alabama 1953 Regular Session, as amended, which provides for the regulation of fresh water commercial fishing and prescribes penalties for violations of said Act.

Was taken up.

H. 357 RECOMMITTED

Pursuant to House Rule 59, the Speaker recommitted the bill, H. 357, to the Standing Committee on Conservation, due to the lack of a fiscal note.

MOTION TO ADJOURN LOST

The motion of Mr. Wood that the House adjourn until 2:30 o'clock p.m., Tuesday, June 19, 1973, was lost.

Yeas 41; Nays 52.

Yeas:

Messrs.:	Downing	McDonald	Robertson
Barkett	Drake	Manley	St. John
Bassett	Easters	Mathews	Smith (K)
Boles	Edwards	May	Therrell
Boutwell	Fite	Merrill	Turner
Brassell	Goodwin	Namamore	Turnham
Burgess	Hardin	Perloff	Waldrop
Callahan	Harris	Pruitt	Weeks
Casey	Hearn	Reed (T)	Williams
Chesnut	Jones (F)	Reynolds	Wood
Cottingham	Kinsey		

—41

Nays:

Mr. Speaker	Carter	Dill	Grey (D)
Adams	Cauthen	Doss	Hale
Adwell	Collins	Erdreich	Hill
Agee	Connell	Falkenburg	Hobbie
Barron	Coshatt	Flippo	Hughes
Benton	Crawford	Gafford	Jackson
Bowers	Cross	Grainger	King
Carnes	Crowe	Gray (F)	Lutz

REGULAR SESSION
11th Day

955

McCluskey	Mims	Roberts	Taylor
McCorquodale	Nettles	Slate	Wallace
McMillan	Owens	Stewart	Warren
McNair	Porter	Stokes	Wise
Meeks	Reid (R)	Stubbs	Wynot

—52

BILLS ON THIRD READING RESUMED

And the bill:

H. 617. To amend Act No. 1260, Regular Session, 1971; to provide criminal penalties for willful or negligent violations of said act; to provide criminal penalties for knowingly making false statements, representations, or certifications in material filed or required to be maintained under said act, and for falsifying, tampering, or knowingly rendering inaccurate monitoring devices or methods required to be maintained under said act; and to provide an effective date.

Was read a third time at length and passed, and ordered sent to the Senate without engrossment.

Yeas 71; Nays 9.

Yeas:

Messrs.:	Cross	Hobbie	Parker
Adams	Crowe	Hughes	Porter
Agee	Dill	Jackson	Pruitt
Barron	Doss	Jones (F)	Reed (T)
Bassett	Downing	King	Reid (R)
Benton	Drake	Kinsey	Roberts
Boles	Edwards	Lutz	St. John
Boutwell	Ellis	McDonald	Slate
Bowers	Erdreich	McMillan	Smith (K)
Brassell	Falkenburg	McNair	Stewart
Burgess	Flippo	Manley	Stubbs
Carnes	Grainger	Mathews	Timmons
Carter	Gray (F)	May	Turner
Casey	Hale	Meeks	Turnham
Cauthen	Hardin	Mims	Waldrop
Coshatt	Harris	Naramore	Weeks
Cottingham	Hearn	Nettles	Wise
Crawford	Hill	Owens	Wynot

—71

Nays:

Mr. Speaker	Fite	Goodwin	Reynolds
Adwell	Gafford	McCluskey	Smith (P)
Connell			

—9

MOTION TO ADJOURN LOST

The motion of Mr. Weeks, that the House adjourn until 3:00 o'clock p.m., Tuesday, June 19, 1973, was lost.

Yeas 43; Nays 47.

Yeas:

Messrs.:	Cross	Kinsey	Reynolds
Adwell	Crowe	McDonald	Robertson
Barkett	Downing	Manley	St. John
Bassett	Drake	Mathews	Slate
Boutwell	Easters	May	Smith (K)
Brassell	Edwards	Merrill	Therrell
Burgess	Fite	Naramore	Turner
Casey	Goodwin	O'Daniel	Turnham
Chesnut	Hardin	Perloff	Weeks
Cottingham	Harris	Pruitt	Williams
Crawford	Hearn	Reed (T)	Wood

—43

Nays:

Mr. Speaker	Erdreich	Lutz	Roberts
Adams	Falkenburg	McCluskey	Smith (P)
Agee	Flippo	McCorquodale	Stewart
Barron	Grainger	McMillan	Stubbs
Benton	Gray (F)	McNair	Taylor
Boles	Grey (D)	Meeks	Waggoner
Bowers	Hale	Mims	Waldrop
Carnes	Hill	Nettles	Wallace
Cauthen	Hobbie	Owens	Warren
Collins	Hughes	Parker	Wise
Connell	Jackson	Porter	Wynot
Coshatt	King	Reid (R)	

—47

BILLS ON THIRD READING RESUMED

And the bill:

H. 765. To make unlawful the selling of certain game fish caught or taken from any of the fresh waters of this or any other state, prescribing the penalty therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 1.

Yeas:

Mr. Speaker	Carter	Erdreich	Kinsey
Adams	Cauthen	Falkenburg	Lutz
Adwell	Chesnut	Flippo	McCluskey
Agee	Collins	Gafford	McCorquodale
Bank	Connell	Goodwin	McDonald
Barkett	Cottingham	Grainger	McMillan
Barron	Crawford	Gray (F)	Manley
Bassett	Cross	Grey (D)	Mathews
Benton	Crowe	Hale	May
Boles	Dill	Hardin	Meeks
Boutwell	Doss	Harris	Merrill
Bowers	Downing	Headley	Mims
Brassell	Drake	Hill	Naramore
Burgess	Easters	Hughes	Nettles
Callahan	Edwards	Jackson	Owens
Carnes	Ellis	King	Parker

REGULAR SESSION
11th Day

957

Perloff	St. John	Therrell	Warren
Porter	Slate	Turner	Weeks
Pruitt	Smith (K)	Turnham	Williams
Reed (T)	Stewart	Waggoner	Wise
Reid (R)	Stokes	Waldrop	Wood
Reynolds	Stubbs	Wallace	Wynot
Roberts	Taylor		
Nay: Mr. Fite.			

—90

—1

MOTION TO SUSPEND RULES LOST

The motion of Mr. Burgess to suspend the rules in order to bring up out of order the third reading of the bill, H. 154, was lost.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bill hereinafter mentioned was delivered to the Executive Department on the date and hour named, and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 1:35 P.M. on June 14: H. 413.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Manley, the House adjourned until 2:00 o'clock, p.m. Tuesday, June 19, 1973.

Yeas:

Mr. Speaker	Downing	Jackson	Reed (T)
Bank	Drake	Kinsey	Reynolds
Barkett	Easters	Lang	St. John
Bassett	Edwards	Manley	Smith (K)
Boles	Erdreich	Mathews	Stokes
Brassell	Falkenburg	May	Stubbs
Casey	Fite	Merrill	Therrell
Chesnut	Gafford	Naramore	Turner
Cottingham	Goodwin	Parker	Turnham
Crawford	Gray (F)	Perloff	Weeks
Cross	Hardin	Porter	Williams
Culver	Headley	Pruitt	Wood
Doss			

—49

Nays:

Messrs.:	Collins	Jones (F)	Robertson
Adams	Connell	King	Slate
Adwell	Coshatt	Lutz	Smith (P)
Agee	Crowe	McCorquodale	Stewart
Barron	Dill	McDonald	Taylor
Benton	Flippo	McMillan	Timmons
Boutwell	Grainger	McNair	Waggoner
Bowers	Gray (D)	Meeks	Waldrop
Burgess	Hale	Mims	Wallace
Callahan	Hill	Nettles	Warren
Carnes	Hobbie	Reid (R)	Wise
Carter	Hughes	Roberts	Wynot
Cauthen			

—48

TWELFTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 19, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Doyle Brown, Pastor, Hunter Station Baptist Church, Hunter Station, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Agee	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Easters	McBride	Slate
Barron	Edwards	McCluskey	Smith (K)
Bassett	Ellis	McCorquodale	Smith (P)
Benton	Erdreich	McDonald	Snell
Boles	Falkenburg	McMillan	Stewart
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Stubbs
Brassell	Gafford	Mathews	Taylor
Burgess	Goodwin	May	Therrell
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Gray (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Parker	Weeks
Coshatt	Hill	Perloff	Williams
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot
Crowe			

—105

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eleventh legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the eleventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eleventh legislative day was approved.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E) due to illness.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 138. To amend Section 464 of Title 51 of the Code of Alabama of 1940 relating to license tags for automobiles so as to abolish license tag provisions for automobile dealers.

H. 964. To provide for the procedure concerning purchases made by circuit judges of law books, equipment, robes and other materials and supplies reasonably necessary and essential for the operation of his office or court.

H. 621. To amend Section 1 of Act No. 359, H. 150, Regular Session 1951 (Acts 1951, p. 646); to provide for the issuance of special license tags to owners of private or pleasure motor vehicles who hold citizen's band radio licenses issued by the Federal Communications Commission.

H. 144. To create an additional judgeship for the Tenth Judicial Circuit of Alabama; to provide for the election of an incumbent thereof; to prescribe the jurisdiction, powers, authority, qualifications, duties, and compensation of such incumbent, and to render such incumbent liable to all the pains and penalties of other Circuit Judges in the State, and to further provide for a division of authority and duties between judgeships in said Circuit.

H. 147. To provide additional judges for the tenth judicial circuit of Alabama.

H. 514. To amend Section 587 of Title 37, Code of Alabama 1940, as amended, relating to appeals from Recorder's Court.

H. 515. To authorize and empower recorders of municipalities of less than 250,000, according to the last or any subsequent federal census; to suspend sentence and grant probation to persons convicted of violating municipal ordinances; to authorize investigations; to authorize imposition of terms and conditions of probation; to authorize revocation of probation and re-arrest of defendants; and to provide for the discharge of persons complying with the terms and conditions of probation; to require recorders to file monthly reports with the governing body; and to preserve the pardon and parole power of the mayor.

Mr. Fite, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and

ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 938. To provide for employment of Industrial Developers by the Alabama Development Office as non-merit system employees.

Mr. Fite, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 439. (With Amendment): To provide that apartment house owners who charge a security damage deposit are prohibited from not refunding such deposits to tenants upon vacation by such tenants, unless there occurs damage or waste to the premises over and above ordinary wear and tear; and to provide for a penalty damage award against a landlord who violates this act.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 823. (With Amendment): To purify, preserve and maintain the Cahaba River; to prohibit the construction of additional dams and impoundments; to provide for the removal of those already constructed that are not owned by public utilities or governmental bodies; to prescribe remedies and penalties for violations of this Act and to provide otherwise for its enforcement.

H. 357. (With Amendment): To further amend Sections 4, 10 and 15 of Act No. 784, H. 316, (page 1069) Acts of Alabama 1953 Regular Session, as amended, which provides for the regulation of fresh water commercial fishing and prescribes penalties for violations of said Act.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 852. To designate Asteriated Quartz as the official gem of the State of Alabama, commonly called Blue Star Quartz.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 437. To provide for a secretarial assistant for the district attorney of the 26th Judicial Circuit, establishing the compensation for said position and making the provisions of this Act retroactive to July 1, 1972.

H. 889. Relating to CONECUH County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following

bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 890. (With Amendment): Relating to counties having a population of not less than 33,550 nor more than 34,000, making communication officers and radio operators "peace officers" under the provisions of Act No. 999, H. 288, Regular Session 1969.

H. 921. (With Amendment): Relating to Conecuh County, to provide Clerical Assistance for the Tax Assessor such allowance to be payable out of the General Funds of the County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 922. To provide an additional clerical allowance to the Circuit Clerk of Conecuh County such allowance to be payable out of the General Funds of the County.

H. 923. To authorize the sheriff of Autauga County to collect and retain the fees and allowance prescribed by law for feeding prisoners, to provide that the provisions of this Act shall be retroactive to January 18, 1971.

H. 715. Relating to Coffee County, Alabama: Prohibiting any bank located in Coffee County from moving its home office or principal place of business from the municipality in which it was originally established to any other location within the said county outside the limits of the municipality in which it was originally established.

H. 1003. Relating to counties having a population of not less than 23,900 and not more than 24,450, according to the most recent federal decennial census; to provide for payment of an expense allowance to the judge of intermediate courts in such counties.

H. 1015. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for appointment of bailiffs in the county courts of such counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 987. Relating to all counties having a population of not less than 13,000 nor more than 13,250, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 208. To make an additional appropriation to the Legislative Reference Service for the current fiscal year.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 89. Relative to adjournment of the two houses until June 12, 1973.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 97. RELATIVE TO ADJOURNMENT OF THE TWO HOUSES UNTIL JUNE 19, 1973.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 79. Honoring Colonel Samuel P. McClurkin

Also:

H. J. R. 83. Mourning the death of Elmer N. Wright

Also:

H. J. R. 84. Congratulating the Ashville Bulldogs for winning the third straight 2A State Track Championship in Selma.

Also:

H. J. R. 85. Mourning the death of Mrs. Virginia Luker

Also:

H. J. R. 86. Honoring the Emma Sansom High School "Rebel Marching Band" of Gadsden, Alabama, for winning first place for an unprecedented fifth time in the 1973 "Greatest Bands in Dixie" Contest at Mardi Gras in New Orleans

Also:

H. J. R. 87. Mourning the death of Mrs. Gertrude Goodwin

Also:

H. J. R. 88. Thanking the Mobile Area Chamber of Commerce for its hospitality to the Legislature

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions introduced on the eleventh legislative day were read by title, pursuant to Joint Rule 12:

H. J. R. 102. Mourning the death of Charles C. Williams

H. J. R. 103. Mourning the death of J. Haran Lowe

H. J. R. 105. Thanking Senator John Sparkman for introduction of Senate Bill 1772 which provides aid to iron ore miners with red lung disease and thanking Senator Jim Allen for his pledge to support the bill. Also thanking Governor George Wallace for his strong support for this bill and his concern for these citizens of our great state.

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

H. 734 RE-REFERRED

On motion of Mr. Falkenburg to re-refer, the bill, H. 734, was re-referred from the Standing Committee on Local Legislation No. 2 to the Standing Committee on Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Cook:

S. J. R. 37. Mourning the death of Mrs. Eloise Benefield

Also:

By Mr. Shelby:

S. J. R. 40. Honoring Dr. B. B. Hardy upon his retirement as Dean of Stillman College.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolutions, S. J. R. 37 and S. J. R. 40, on the Clerk's desk for one legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Owen:

S. J. R. 41. Mourning the death of J. R. Wilson.

McDOWELL LEE,
Secretary.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, S. J. R. 41, on the Clerk's desk for one legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Dozier:

S. J. R. 13. WHEREAS, Mr. Frank S. Anderson of Troy, Alabama, recently served as chairman of the drive to build Alumni Hall at Troy State University; and

WHEREAS, This service to Troy State University is only one of the many contributions Mr. Anderson has made to the development of the school; his untiring efforts have been a major factor in the tremendous success of the Troy State Foundation, which benefits many students in the furtherance of their education; now, therefore;

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That Wing B of Alumni Hall be henceforth named the Frank S. Anderson Wing, as a fitting tribute to the significant contributions he has made toward the development of Troy State University.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. Frank S. Anderson.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 13, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

S. J. R. 55. BE IT RESOLVED BY THE SENATE OF ALABAMA WITH THE HOUSE OF REPRESENTATIVES CONCURRING, That the Department of the Examiners of Public Accounts is requested to examine all State leases now in existence between any State agency, the State itself or any authority or other legal entity thereof and any private entity which leases have more than one year from present time to its future expiration before it will expire or be renewed.

The Examiner of Public Accounts is requested to make a complete and comprehensive report to the Legislature as soon as possible but not later than sixty days from the date of adoption of this Resolution. Including therein the property owners, terms of lease, amount of lease and the department of the State or the entity which has leased the property and any other facts which are pertinent to the lease in the opinion of the Department of Examiners of Public Accounts.

SENATE MESSAGE

The resolution, S. J. R. 55, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Shelby:

S. J. R. 15. CONGRATULATING TUSCALOOSA POLICEMAN WILLIAM A. (BILL) FORMBY UPON BEING HONORED AS ALABAMA'S LAW ENFORCEMENT OFFICER OF THE YEAR.

WHEREAS William A. (Bill) Formby, a member of the Tuscaloosa Police Department, has recently been named Alabama's Law Enforcement Officer of the Year for 1972 in a contest sponsored by the Birmingham News, the Alabama Jaycees and the Alabama Petroleum Council; and

WHEREAS this brilliant young officer is one of the increasing new breed of law men, going to school by day and then putting on his blue uniform for a night shift at the police department; he is currently a senior in the School of Social Work, Criminal Justice Program, at the University of Alabama where he plans to attain his Masters Degree in Criminal Justice; and

WHEREAS Bill Formby has used his keen mind to develop the Tuscaloosa Police-Action Team, which uses University of Alabama Action students to beef up the city police force. Formby and his students have become known as Tuscaloosa's version of "The Mod Squad" as they seek to bring new approaches to the old, old problem of kids who might go wrong; and

WHEREAS Bill Formby's work has not only brought honor to himself but it has contributed immeasurably to his chosen vocation by projecting an image of professionalism to the public; and

WHEREAS recognition by one's fellow citizens for a job well done is one of the most treasured and esteemed honors that can be bestowed upon a man; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body offers its congratulations to one of Alabama's finest young citizens, William A. (Bill) Formby, upon his selection as Alabama's Law Enforcement Officer of the Year for 1972 and wishes him great success in his future endeavors.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Bill and Patricia Formby, and their daughter, Tonya Lynn.

McDOWELL LEE,
Secretary.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, S. J. R. 15, on the Clerk's desk for one legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Messrs. Shelby and Gilmore:

S. J. R. 32. Naming certain roads and highways in Tuscaloosa and Jefferson Counties "The Tannehill Trail"

Also:

By Mr. Shelby:

S. J. R. 33. Commending H. A. Edwards, Jr., as President of the Homebuilders Association of Alabama for 1972.

Also:

By Mr. Shelby:

S. J. R. 34. Commending Marlin D. Moore, Jr., as immediate past president of the Alabama Association of Realtors, Inc.

Also:

By Mr. Shelby:

S. J. R. 35. Commending John D. Cade, as President of the Alabama Savings and Loan League, 1971-72.

Also:

By Mr. Shelby:

S. J. R. 36. Commending Madge Poole as outgoing President of the Alabama Federation of Business and Professional Women's Clubs.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 32, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

SENATE MESSAGE

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolutions, S. J. R. 33, S. J. R. 34, S. J. R. 35 and S. J. R. 36, on the Clerk's desk for one legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Pierce and Jones:

S. J. R. 45. Lamenting the death of T. E. Martin

McDOWELL LEE,
Secretary.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, S. J. R. 45, on the Clerk's desk for one legislative day.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Mathews:

H. 1023. To further identify creditable years of service under the Employees' Retirement System of Alabama, and Teachers' Retirement System of Alabama.

Ways and Means.

By Mr. Mathews:

H. 1024. To make supplemental appropriations to various state departments for the fiscal year ending September 30, 1973.

Ways and Means.

By Messrs. Owens and Lyons:

H. 1025. To establish the capital and surplus required to form a domestic stock life insurance company.

Insurance.

By Messrs. Owens and Lyons:

H. 1026. To establish within the Department of Insurance a Receivership Division, to provide for the management thereof and to enumerate the duties, responsibilities and authority to be conferred thereon.

Insurance.

By Messrs. Owens and Lyons:

H. 1027. To provide for the enforcement of rules and regulations promulgated by the Commissioner of Insurance, as provided for in Section 28 of Act 407, Acts of Alabama, 1971.

Insurance.

By Messrs. Owens and Lyons:

H. 1028. To amend Sections 373 and 744 of Act No. 407, H. 198, Legislature of Alabama of 1971, approved August 25, 1971, entitled "An Act to provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign alien insurance companies, societies and associations; to provide their rights, powers and immunities, and to prescribe the conditions on which insurance companies, societies, and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; to provide for the imposition of licenses, fees, and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the insurance business within or relative to this State; making appropriations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes, "which relate to the Standard Nonforfeiture and Standard Valuation Laws applicable to life insurance companies so as to increase the interest rates used in determining minimum nonforfeiture and reserve values for contracts issued by such companies, and to substitute modern mortality tables in determining the reserve value for annuity contracts.

Insurance.

By Messrs. Merrill, Burgess and Stewart:

H. 1029. Relating to counties having populations of not less than 95,000, nor more than 115,000, according to the most recent federal decennial census; to provide a monthly expense allowance for the bailiff in the county court of such counties; and providing a retroactive effect therefor.

Local Legislation No. 1.

By Messrs. Merrill, Stewart and Burgess:

H. 1030. To amend Section 1 of Act No. 151, H. 169, Special Session 1969 (Acts 1969, p. 218), as amended, which regulates the compensation of and provides for the payment of additional compensation to members of the board of registrars of certain counties classed on a population basis, so as to provide further for the compensation of members of such board; and providing a retroactive effect therefor.

Local Legislation No. 1.

By Messrs. Barkett, Connell, Mims, Smith (K), Crawford, Grainger, Grey (D), Reynolds, Porter, Flipppo, Carter, King, McMillan, Ellis, Waggoner, Meeks, Hughes, Boles, Culver, Parker, Hearn, Timmons, McDonald, Casey, Carnes, Cottingham, McCorquodale, Hardin, Coshatt, Jackson, Harris, Collins, Therrell, Bassett, Owens, Lyons, Wise and Easters:

H. 1031. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of the reappraisal of property in that county required by Act No. 160 adopted at the 1971 Third Special Session of the Legislature; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of certain taxes and other revenues and funds; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; and to provide for the sharing of payment of the principal of and interest on such warrants by all entities receiving any part of the proceeds from ad valorem taxation of property in said county.

Local Government.

By Messrs. Barkett, Hardin and Lyons:

H. 1032. To amend Section 106 of Title 8, Code of Alabama 1940, as amended, pertaining to the penalty for killing domestic animals while hunting.

Conservation.

By Messrs. Barkett, Hardin and Lyons:

H. 1033. To amend Section 110 (7) of Title 8, Code of Alabama 1940, as amended, pertaining to wildlife management areas, so as to require impoundment of dogs only on those management areas having a building or enclosure suitable for impoundment.

Conservation.

By Messrs. Turner, Cottingham, Doss, Bank, Adams, Jones (F), Cauthen, Nettles and Mims:

H. 1034. To regulate further the rental of real property, buildings, office space and other facilities by state departments, bureaus, boards, commissions, agencies and other instrumentalities; to require all such state departments, bureaus, boards, commissions, agencies and other instrumentalities periodically to make a comprehensive study of their needs for real property, buildings, office space or other facilities and improvements to real property, including a study of the feasibility of utilizing only state-owned or other publicly owned real estate, buildings, or other facilities and of renting privately owned real estate, buildings or other facilities adequate for their needs; to require all leases to state departments, bureaus, boards, commissions, agencies and other instrumentalities to be made on competitive bid; and to prescribe penalties.

Ways and Means.

By Messrs. Casey, Bank and Grainger:

H. 1035. Relating to hospitalization of mentally ill persons; defining terms; providing for specified civil, legal and treatment rights of patients, pre-

scribing the duties and responsibilities of all persons and agencies concerned with the admission and treatment of mentally ill persons; prescribing the procedures for voluntary admission, emergency admission, admission for evaluation, and for involuntary hospitalization and treatment; prescribing the quality of care and treatment of patients; authorizing the Alabama Department of Mental Health to issue regulations enforcing the provisions of this Act; and repealing conflicting laws.

Health.

By Messrs. Hardin and Bassett:

H. 1036. To provide for the transfer of funds from the Public Highway and Traffic Funds to the Gasoline Funds by the governing body of counties having a population of not less than 22,000 and not more than 22,500 according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Burgess:

H. 1037. To provide for the licensing and regulation of certified social workers and social workers; to establish and define the duties and powers of the State Board of Social Work Examiners; to make violation of this Act a misdemeanor, and prescribe a penalty therefor.

Public Welfare.

By Messrs. Chesnut and Porter:

H. 1038. To amend the title and Section 1 of Act No. 1159, S. 873, Regular Session 1969 (Acts 1969, p. 2168), as amended, which fixes the compensation of the judge of probate and the sheriff in certain counties classified on a population basis.

Local Legislation No. 1.

By Messrs. Chesnut, Porter and Williams:

H. 1039. To establish in the Ninth Judicial Circuit the office of clerk-secretary to each of the two circuit judges of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the counties comprising the Ninth Judicial Circuit.

Local Legislation No. 1.

By Messrs. Chesnut, Porter and Williams:

H. 1040. To provide additional compensation for each of the official court reporters of the Ninth Judicial Circuit.

Local Legislation No. 1.

By Messrs. Bowers, Waggoner, Hughes, McDonald, Gafford, Adwell and Turner:

H. 1041. Providing for the licensing, regulation, and inspection of employment services as herein defined; providing for the enforcement of these regulations; providing penalties for the violation thereof.

Commerce and Transportation.

By Mr. Reynolds (With Notice and Proof):

H. 1042. To repeal Act No. 162, S. 301, 1957 Regular Session (Acts 1957, p. 217) entitled "To prohibit the hunting of wild deer with a rifle or carbine in the County of Colbert, and prescribing the penalty for such offense."

Local Legislation No. 1.

Notice and Proof H. 1042:

STATE OF ALABAMA
COUNTY OF COLBERT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 162, S. 301, 1957 Regular Session (Acts 1957, P. 217) entitled "to prohibit the hunting of wild deer with a rifle or carbine in the county of Colbert, and prescribing the penalty for such offense,"

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 162, S. 301, 1957 Regular Session (Acts 1957, P. 217) entitled to prohibit the hunting of wild deer with a rifle or carbine in the County of Colbert, and prescribing the penalty for such offense, is hereby repealed.

Section 2. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COLBERT COUNTY

Before me, James H. Crawford, a Notary Public in and for said State and County aforesaid, personally appeared Jim Crawford, Jr., Publisher of The Colbert County Reporter, and after being duly sworn by me, deposes and says that the attached Legal Notice was published in the Colbert County Reporter for 4 successive weeks, as follows: May 24, 31, June 7, 14, 1973; That Colbert County Reporter is a weekly newspaper of general circulation in Colbert County, Alabama; That it is entered in the Postoffice at Tuscumbia, Alabama, 35674, as second-class mailing matter; That it has been published for 52 successive weeks prior to the publication of this legal notice.

ROBERT STANSELL,
Editor,
For Jim Crawford Jr.
JIM CRAWFORD, JR.,
Publisher.

Sworn to and subscribed before me, this 18th day of June, 1973.

JAMES H. CRAWFORD.

My commission expires November 16, 1973.

By Messrs. Reynolds and Goodwin (With Notice and Proof):

H. 1043. To repeal Act No. 242, H. 684, approved August 13, 1957, Regular Session 1957 (Acts 1957, p. 302) entitled, "An Act Regulating through licensure the occupation of plumbing in Colbert County, Alabama; creating a board of plumbers examination and registration in such county for the purpose of examining and licensing master plumbers and journeyman plumbers; providing for the appointment and term of office of members of such board and prescribing the organization, powers and duties of the board; fixing standards for master and journeyman plumbers and prescribing examination and certification fees and authorizing their collection and disbursement; authorizing the revocation and renewal of such certifications and prescribing the procedures therefor; and providing penalties for violations of this Act."

Local Legislation No. 1.

Notice and Proof H. 1043:

STATE OF ALABAMA
COUNTY OF COLBERT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to wit:

A bill to be entitled an Act to repeal Act No. 242, H. 684, approved Aug. 13, 1957, Regular Session 1957 (Acts 1957, P. 302) entitled, "An act regulating through licensure the occupation of plumbing in Colbert County, Ala., creating a board of plumbers, examinations and registrations in such county for the purpose of examining and licensing master plumbers and journeyman plumbers, providing for the appointment and term of office of members of such board and prescribing the organization, powers and duties of the board, fixing standards for master and journeyman plumbers and prescribing examination and certification fees and authorizing their collection and disbursement, authorizing the revocation and renewal of such certifications and prescribing the procedures therefore, and providing penalties for violations of this act.

Be It Enacted by the Legislature of Alabama.

Section 1. Act No. 242, H. 684, approved Aug. 13, 1957, Regular Session 1957 (Acts 1957, P. 302), entitled "an act regulating through licensure the occupation of plumbing in Colbert County, Ala., creating a board of plumbers, examinations and registration, in such county for the purpose of examining and licensing master plumbers and journeyman plumbers providing for the appointment and term of office of members of such board and prescribing the organization, powers and duties of the board, fixing standards for master and journeyman plumbers and prescribing examinations and certification fees and authorizing their collection and disbursement, authorizing the revocation and renewal of such certifications and prescribing the procedures therefore, and providing penalties for violations of this act," is hereby expressly repealed.

REGULAR SESSION
12th Day

973

Section 2. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COLBERT COUNTY

Before me, James H. Crawford, a Notary Public in and for said State and County aforesaid, personally appeared Jim Crawford, Jr., Publisher of The Colbert County Reporter, and after being duly sworn by me, deposes and says that the attached Legal Notice was published in the Colbert County Reporter for 4 successive weeks, as follows: May 24, 31, June 7, 14, 1973; That Colbert County Reporter is a weekly newspaper of general circulation in Colbert County, Alabama; That it is entered in the Postoffice at Tuscumbia, Alabama, 35674, as second-class mailing matter; That it has been published for 52 successive weeks prior to the publication of this legal notice.

ROBERT E. STANSELL,
Editor,
For Jim Crawford Jr.,
JIM CRAWFORD, JR.,
Publisher.

Sworn to and subscribed before me, this 18th day of June, 1973.

JAMES H. CRAWFORD.

My commission expires November 16, 1973.

By Messrs. McCorquodale and Agee:

H. 1044. Relating to all counties with a population of not less than 26,000 nor more than 26,800, according to the most recent federal decennial census, providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations and in certain cases of game, fish and conservation law violations.

Local Legislation No. 1.

By Messrs. Hill and Flippo:

H. 1045. Relating to the Eleventh Judicial Circuit, authorizing each circuit judge of said circuit to appoint a secretary and providing compensation.

Local Legislation No. 1.

By Messrs. Hill and Reynolds:

H. 1046. To confer additional powers and authority on the board of directors of any county or municipal hospital or any hospital corporation; to authorize such boards or corporations to acquire, own, equip, improve, maintain, enlarge, and lease medical clinics and related facilities; to authorize each such board or corporation to borrow money and issue revenue bonds, payable solely from the rentals and other revenues of such medical clinics and its facilities financed by such bonds or from certain other revenues of such boards or corporations; and to provide for and regulate the issuance, sale and re-

funding of any such bonds or other securities issued to finance such clinics and related facilities.

Ways and Means.

By Mr. McBride:

H. 1047. To increase the Director's fees of Boards operating public utility corporations in municipalities having a population of not less than 5,070, nor more than 5,150.

Local Legislation No. 2.

By Messrs. Erdreich, Timmons, Falkenburg, Boutwell, Doss, Weeks, McBride, McMillan, Dill, Adwell and McNair:

H. 1048. Relating to a system of accounting reporting for counties having populations of 600,000 or more according to the most recent federal decennial census; providing for publication of a manual which establishes a system of accounting reporting for all county and municipal governmental units in such counties; to establish an advisory board to aid in the promulgation of such system; to establish what such system should include, and for its periodic revision; to set a date for the use of such system; to provide that reports be made by auditors and examiners as to compliance with such system; to provide methods for enforcement of such reporting and compliance with such reporting system, and for penalties for lack of compliance.

Local Legislation No. 2.

By Messrs. Waggoner, Doss, Timmons, Adwell, Bowers, Meeks, Boutwell, Weeks, Ellis, Boles, Hughes, Wallace, Dill, McMillan, McBride, McNair and Falkenburg:

H. 1049. To fix the compensation or salaries of Circuit Clerk in Counties of 600,000 inhabitants or more, according to the last or any subsequent Federal Census.

Local Legislation No. 2.

By Mr. Edwards:

H. 1050. Relating to all counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal decennial census; to provide an expense allowance for the members of the county board of registrars.

Local Legislation No. 1.

By Mr. Edwards:

H. 1051. Relating to counties having a population of not less than 12,700 and not more than 13,100 according to the most recent federal decennial census; to provide for the compensation and certain expenses of the register of the circuit court in any such county, payable from county funds; and providing for certain other duties of such register.

Local Legislation No. 1.

By Mr. Edwards:

H. 1052. Relating to all counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal

decennial census; to provide an expense allowance for members of the county board of equalization.

Local Legislation No. 1.

By Messrs. Falkenburg, Doss, Wallace, McMillan, Ellis, Hughes, Dill, McBride, Gafford, Meeks and Adwell (With Notice and Proof):

H. 1053. To fix the compensation or salary of the Judges of the Court of General Sessions of Jefferson County and to regulate the payment of salaries of said Judges.

Local Legislation No. 2.

Notice and Proof H. 1053:

LEGAL NOTICE

STATE OF ALABAMA
JEFFERSON COUNTY

Notice is hereby given that a Bill will be introduced at the next Regular Session, or Special Session, of the Alabama Legislature for the passage of an Act to fix the compensation or salaries of the Judge of the Court of General Sessions of Jefferson County and to regulate the payment of the salaries of said Judge, effective at the beginning of the next term of office of said Judge.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor Abercrombie Foster who, by me duly sworn, deposes and says that she is the Publisher of Alabama Messenger, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of general circulation, published and printed in Jefferson County, Alabama, and which has been in continuous weekly publication since 1918, and that there was published in said newspaper in the issues of May 12, 19, 26, June 2, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER.

Sworn and subscribed to on this the 4th day of June, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Doss, Drake, Crowe, Owens, Naramore, St. John, Adwell, Parker, Culver, Manley, Cross, Williams, Timmons and Roberts:

H. 1054. To provide for the levy and collection of a special annual property tax of 5¢ per acre on wooded or timber land which would be paid into the Alabama Forestry Commission Fund.

Ways and Means.

By Messrs. Doss, Drake, Crowe, Owens, Naramore, St. John, Adwell, Parker, Culver, Manley, Cross, Williams, Timmons and Roberts:

H. 1055. To propose a constitutional amendment that would allow 5¢ per acre annual property tax to be levied on all wooded or timber land to be used for the state forestry program.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Hearn, King, Lutz and Hale:

H. 1056. To further amend Section 103, Title 11, Code of Alabama 1940, as amended, which section relates to the compensation of witnesses in criminal cases, so as to increase the compensation of said witnesses, and to prohibit the compensation of certain law enforcement officers who are witnesses in criminal cases.

Ways and Means.

By Messrs. Hearn, King, Lutz, Hale, McCorquodale, Culver, Barkett and Parker:

H. 1057. To establish a lien in favor of persons performing labor, or furnishing materials or services, to be used or employed in the drilling or operation of any oil or gas well or the construction of any oil or gas transporting pipeline; specifying the persons entitled to the lien, the property subject to the lien, when the lien arises, how notice of the lien is to be given and recorded, how the lien is perfected, how indemnity bond may be made in lieu of the lien, the duration of the lien, how and when suit must be commenced to enforce the lien, and how the lien may be enforced upon judgment rendered for the lien claimant.

Commerce and Transportation.

By Messrs. Hobbie, Harris, Taylor, Jones (F), Barron, Robertson and Hearn:

H. 1058. To provide that persons employed in an administrative or clerical capacity by the Alabama State Employees' Association may become members of the Employees' Retirement System of Alabama.

Ways and Means.

By Messrs. Hobbie, Harris, Taylor, Jones (F), Barron, Robertson and Hearn:

H. 1059. To regulate annual leave and sick leave of state merit system employees, to provide for partial payment of accrued and unused sick leave at the time of retirement of such employees.

Ways and Means.

By Messrs. Hobbie, Jones (F), Barron, Taylor, Robertson and Hearn:

H. 1060. To further amend Section 9 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, p. 1564), as amended, which provides for payment

of insurance costs by the state for employees of the state, so as to delete the maximum amount which may be expended for an individual employee's insurance.

Ways and Means.

By Messrs. Hobbie, Taylor, Jones (F), Barron, Robertson and Hearn:

H. 1061. To provide salary increases for state merit system employees; and to appropriate funds therefor.

Ways and Means.

By Messrs. Hobbie, Edwards, Taylor, Harris, Barron, Hill and Robertson:

H. 1062. To amend Title 45, Section 144, Alabama Code, 1940, as amended, providing a daily prisoner meal allowance, so as to provide for an increase in such allowance.

Ways and Means.

By Messrs. Hobbie, Bank, Smith (P), Grainger, Falkenburg, McDonald, Doss, Collins, Harris, Barron and Hill:

H. 1063. To make an additional appropriation to the Alabama Board of Nursing for the fiscal year ending September 30, 1973.

Ways and Means.

By Messrs. Hobbie, Fite, Drake, Hearn and Hill:

H. 1064. To provide that all former Governors of the State of Alabama upon reaching age sixty (60) shall be entitled to monthly retirement pay out of the General Fund of the State Treasury.

Ways and Means.

By Mr. Harris (With Notice and Proof):

H. 1065. To amend Section 339 of Title 62, Code of Alabama, 1940, as amended relating to the Judges of the Fifteenth Judicial Circuit of Alabama.

Local Legislation No. 4.

Notice and Proof H. 1065:

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 339 of Title 62, Code of Alabama, 1940, as amended relating to the Judges of the Fifteenth Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 339 of Title 62, Code of Alabama, 1940, as amended, is hereby further amended to read as follows:

"Section 339. The Judges shall be numbered first, second, third and fourth so that each judgeship shall be designated by a number, the third Judge being the Judge of the Domestic Relations Division of the Circuit Court of Montgomery County, Alabama as defined and created by Act No. 250, Section 312, approved September 30, 1959. The Judges shall be so designated on the ballots used in the primary and general elections. The Judge having the longest term of service as Judge of the Fifteenth Judicial Circuit shall be the Presiding Judge of the Circuit."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Betty K. Shine, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was book keeper of the Advertiser Company, Alabama Journal, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 6, April 13, April 20, and April 27, all in the year 1973.

BETTY K. SHINE.

Sworn to and subscribed before me 30th day of April, 1973.

MARGARET B. MORGAN,
Notary Public,
Montgomery County, Alabama.

By Messrs. Harris, Taylor, Hobbie, Barron and Jones (F) (With Notice and Proof):

H. 1066. To amend Act No. 833 of the Legislature of Alabama of 1969, by which the retirement system for employees of Montgomery County was established, to improve the benefits provided by said system in certain respects and to provide uniform benefits thereunder for persons hereafter becoming employees of Montgomery County and to extend the provisions regarding the management of the funds of said system to include the funds of the previous pension systems established by Act No. 240 of the Legislature of Alabama of 1947 and by Act No. 176 of the Legislature of Alabama of 1959.

Local Legislation No. 4.

Notice and Proof H. 1066:

STATE OF ALABAMA MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 833 of the Legislature of Alabama of 1969, by which the retirement system for employees of Montgomery County was established, to improve the benefits provided by said system in certain respects and to provide uniform benefits thereunder for persons hereafter becoming employees of Montgomery County and to extend the provisions regarding the management of the funds of said system to include the funds of the previous pension systems established by Act No. 240 of the Legislature of Alabama of 1947 and by Act No. 176 of the Legislature of Alabama of 1959.

Be It Enacted by the Legislature of Alabama:

Act No. 833 of the Legislature of Alabama of 1969 is hereby amended in its entirety as follows:

Section 1. Definitions

The following words and phrases as used in this Act, unless a different meaning is plainly required by the context, shall have the following meanings:

(1) "Retirement System" shall mean the Retirement System for Employees of Montgomery County, as established pursuant to Act No. 833, H. 1100, approved September 12, 1969, and as amended by this Act.

(2) "County" shall mean the County of Montgomery, Alabama.

(3) "Commission" shall mean the Montgomery County Commission, except that with respect to any period prior to October 1, 1970 it shall mean the Board of Revenue of the County.

(4) "Medical Board" shall mean the board of physicians provided for in Section 5, Subsection (5), of this Act.

(5) "Employee" shall mean any regular and permanent officer or employee of the County, including any regular employee whose compensation is paid on a per diem basis, but excluding any elected official. In all cases of doubt, the commission shall decide who is an employee within the meaning of this Act.

(6) "Member" shall mean any person included in the membership of the Retirement System as provided in Section 3 of this Act.

(7) "Prior member" shall mean a member who last became a member on or before the effective date of this Act.

(8) "New member" shall mean a member who is not a prior member.

(9) "Service" shall mean service in the employment of and paid for by the County, including service in the armed forces of the United States rendered between periods of County service, and service as a temporary acting official of the County rendered during the period the regular elective officials served in the armed forces of the United States. Service while in the employment of the County and paid for partially by the City of Montgomery, Alabama, and the State of Alabama shall also be included if contributions on ac-

count of such service are made in accordance with Section 3, Subsection (5) of this Act.

(10) "Creditable service" shall mean service for which credit is allowable as provided in Section 4, Subsection (4), of this Act.

(11) "Retirement allowance" shall mean annual payments for life. All retirement allowances shall be payable in monthly installments continuing to the last payment prior to death.

(12) "Beneficiary" shall mean any person in receipt of a retirement allowance or other benefit as provided by the Retirement System.

(13) "Accumulated contributions" shall mean the sum of all the amounts deducted from the compensation of a member and all the amounts deducted from his compensation while covered under the Pension Plan or the Pension System credited to his individual account in the Members' Account, as provided in Section 7, Subsection (1), of this Act.

(14) "Earnable compensation" shall mean the full rate of compensation that would be payable to a member if he worked the full normal working time, but shall not include any pay for overtime. In cases where compensation includes maintenance, the Commission shall fix the value of that part of compensation not paid in money.

(15) "Average monthly compensation" shall mean the average monthly earnable compensation of a member during the twelve consecutive months of his creditable service affording the highest such average.

(16) "Normal retirement date" shall mean the date on which a member first becomes eligible to retire on a service retirement allowance as provided by Section 6, Subsection (1)(a), of this Act, or in the case of a member who retires or terminates service prior to his becoming so eligible, the date on which he would become eligible to retire on a service retirement allowance if he remained in service to such date.

(17) "Regular interest" shall mean interest at the rate established from time to time by the Commission as, provided in Section 7, Subsection (2), Paragraph (b), of this Act.

(18) "Pension Plan" shall mean the pension system for County employees established by Act No. 240, H. 627, approved July 29, 1947 (Local Acts of 1947, p. 165 as amended) as said system existed immediately prior to the operative date of the Retirement System.

(19) "Pension System" shall mean the Montgomery County Employees' Retirement System established by Act No. 176, S. 272, approved September 28, 1959, Local Acts of 1959, p. 702, as said system existed immediately prior to the operative date of the Retirement System.

(20) "Operative date" of the Retirement System shall mean December 1, 1969.

(21) The masculine pronoun shall include the feminine pronoun.

Section 2. Name and Establishment of Retirement System.

The Montgomery County Commission is hereby authorized to continue to maintain a retirement system for the purpose of providing retirement al-

lowances and other benefits under the provisions of this Act for employees of the County of Montgomery. The retirement system shall be known as the "Retirement System for Employees of Montgomery County" under which name all of its business shall be transacted, all of its funds invested and all of its cash and securities and other property held in trust for the purpose for which received.

Section 3. Membership.

(1) Any person who becomes an employee on or after the operative date shall, as a condition of his employment, become a member of the Retirement System on the first day of the calendar month following his employment as an employee, provided that any person in service as an employee on the effective date of this Act who prior to said date was not an employee as defined in Act No. 833 of 1969 shall become a member of the Retirement System as of said date.

(2) Any person in service on the operative date who became an employee prior thereto and who on such date is not a member of the Pension Plan or the Pension System shall become a member of the Retirement System as of the operative date.

(3) Any employee in service on the operative date who is covered by the Pension Plan or the Pension System shall file with the Commission within thirty days following the operative date on a form prescribed by the Commission a notice of his election either to become a member of the Retirement System as of the operative date or to remain covered by the Pension Plan or the Pension System, as the case may be. Upon becoming a member of the Retirement System, such employee shall thereupon cease to be covered by the provisions of the Pension Plan and the Pension System and shall have no further rights thereunder. Any employee who is not in service on the operative date who is covered by the Pension Plan or the Pension System on said date shall file an election in the manner set forth above within 30 days following his return to service. Any person already retired under the provisions of the Pension Plan or the Pension System shall not be eligible for membership in the Retirement System.

(4) Any employee in service on the effective date of this Act who elected pursuant to Subsection (3) of this Section to remain covered by the Pension Plan or the Pension System may elect, within 30 days following the effective date of this Act, to become a member of the Retirement System as of said date by filing a notice of such election with the Commission. Upon becoming a member of the Retirement System, such employee shall thereupon cease to be covered by the provisions of the Pension Plan or the Pension System, as the case may be, and shall have no further rights thereunder. An employee who makes this election shall pay to the Retirement System:

(a) The excess, if any, of (i) the contributions which he would have made to the Retirement System up to the effective date of this Act had he become a member on the operative date, over (ii) the contributions which he made for the same period to the Pension Plan or the Pension System; plus

(b) Interest at the rate of 5 per cent per annum on the deficiency in contributions determined in (a) above from the time such contributions would have been made had he become a member on the operative date to the date of payment; plus

(c) Interest at the rate of 5 per cent per annum on the amounts of contributions which would have been made on his behalf by the County up to the effective date of this Act had he become a member on the operative date.

The Commission shall prescribe by appropriate rules and regulations the method of calculating the interest payments under (b) and (c) above.

(5) Anything in this Act to the contrary notwithstanding, any employee whose earnable compensation is paid in whole or in part by the City of Montgomery, Alabama, or the State of Alabama, and the County of Montgomery and who is not otherwise covered by a pension system of the City or the State, or the County, may become a member if otherwise eligible, provided the City, the State and the County contribute to the Retirement System on his account in proportion to the sums which the City, the State and the County pay as salary or wages for such an employee.

(6) The Commission shall classify each prior member on the basis of his duties in one of the following classes:

Class I. General County Employees.

Class II. Law Enforcement Employees, including Chief Deputy Sheriff; Deputy Sheriff Captains; Deputy Sheriff Lieutenants; Deputy Sheriff Civil Officers; Deputy Sheriffs; Deputy Sheriff Matrons; or Deputy Sheriffs of whatever rank or rate that may hereafter be provided for, also any Jail Warden; Captains; Deputy Jail Wardens; Identification Officers; Jailers; Jail Stewards, or any other jail personnel hereinafter provided for, but nothing in this Act shall be construed to include clerical employees, clerks or clerk typists, employed in the Sheriff's Department. Such clerical employees, clerks or clerk typists shall be Class I.

The Commission shall certify to each prior member the class in which he is placed. When the duties of a member so require, the Commission may change his classification and shall certify to him the class to which he has been reclassified, except that no member having fifteen or more years of service in one class may be so reclassified.

(7) Should any member in any period of seven consecutive years after last becoming a member be absent from service more than six years, or should he withdraw his accumulated contributions or die or retire under the provisions of this Act, he shall thereupon cease to be a member.

Section 4. Service Creditable.

(1) Each member shall receive service credit for all service rendered while a member of the Retirement System since he became a member, or since he last became a member in the event of a break in his membership.

(2) In addition, any employee who becomes a member pursuant to Section 3, Subsection (3), of this Act shall be credited with all service prior to the operative date which is creditable to him as of that date pursuant to the provisions of the Pension Plan or the Pension System. Any employee who becomes a member pursuant to Section 3, Subsection (4), of this Act shall be credited with all service prior to the operative date which is creditable to him as of the effective date of this Act pursuant to the provisions of the Pension Plan or the Pension System and all service subsequent to the operative date and prior to his date of membership with which he would have been credited had he become a member on the operative date, provided that he makes the

contributions required by Section 3, Subsection (4). Any employee who becomes a member on the effective date of this Act pursuant to Section 3, Subsection (1), shall be credited with all service prior to said date as an employee as herein defined. When membership ceases other than by retirement or termination of service with entitlement to a vested retirement allowance, the employee's credit for service under this Subsection (2) shall be cancelled and should he again become a member he shall not be entitled to credit for service prior to his date of membership.

(3) The Commission shall fix and determine by appropriate rules and regulations how much service in any year is equivalent to a year of service, but in no case shall more than one year of service be creditable for all service in one calendar year, nor shall the Commission allow credit as service for any period of more than one month's duration during which the employee was absent without pay.

(4) Creditable service at retirement on which the retirement allowance of a member shall be based shall consist of his service credit while a member and, if he continues in service to retirement without a break in membership, any service prior to his date of membership creditable under the provisions of Subsection (2) of this Section.

(5) Anything in this Act to the contrary notwithstanding, if an employee is absent due to service in the armed forces and returns to County service within ninety days after becoming entitled to discharge or within ninety days after hospitalization continuing after discharge for a period of not more than two years, credit for such period of absence commencing prior to the operative date shall be allowed as if such service had been service prior to the operative date as an employee of the County with compensation at the employee's rate of compensation in effect immediately prior to such absence, provided that in no event shall an employee who becomes a member pursuant to Section 3, Subsection (3) or (4), of this Act be credited with more service prior to the operative date than he was entitled to receive under the Pension Plan or the Pension System for the comparable period. The period of any such absence commencing on or after the operative date shall be allowed as membership service credit as if such service had been service as an employee of the County with compensation at the member's rate of compensation in effect immediately prior to such absence, provided contributions are made by the member on account of such period.

Section 5. Administration.

(1) The general administration and the responsibility for the proper operation of the Retirement System and for making effective the provisions of this Act are hereby vested in the Montgomery County Commission.

(2) The Commission shall have the power, right and authority from time to time to establish rules and regulations for the administration of the Retirement System and for the transaction of its business.

(3) The Commission shall keep in convenient form such data as shall be necessary for actuarial valuation of the Retirement System and for checking the experience of the Retirement System.

(4) The Commission shall keep a record of all of its proceedings, which records shall be open to public inspection.

MEDICAL BOARD

(5) The Commission shall designate a Medical Board of one, two or three physicians who are not eligible to participate in the Retirement System. The Medical Board shall arrange for and pass upon all medical examinations required under the provisions of this Act, shall investigate all essential statements, and certificates by or on behalf of a member in connection with application for disability retirement, and shall report in writing to the Commission its conclusions and recommendations upon all the matters referred to it. The members of the Medical Board shall receive such compensation for their services as the Commission shall approve.

DUTIES OF ACTUARY

(6) The Commission shall designate an actuary who shall be the technical adviser of the Commission on matters regarding the operation of the Retirement System and who shall perform such other duties as are required in connection therewith. The actuary shall serve at the pleasure of the Commission and all contracts with such actuary shall be subject to this provision.

(7) The Commission shall adopt for the Retirement System from time to time such mortality, service and other tables as shall be deemed necessary, and on the basis of such tables and regular interest the actuary shall make annually an actuarial valuation of the assets and liabilities of the Retirement System. At least once in each five-year period the Commission shall cause an actuarial investigation to be made into the mortality, service and compensation experience of the members and beneficiaries of the Retirement System.

Section 6. Benefits.

(1) Service Retirement Allowance.

(a) The normal retirement date of a member shall be the date on which he completes the applicable eligibility requirements as follows:

- (i) In the case of a prior member in Class I, attainment of age sixty;
- (ii) In the case of a prior member in Class II, attainment of age fifty-five and completion of twenty years of creditable service, or attainment of age seventy if earlier;
- (iii) In the case of a new member, attainment of age sixty and completion of twenty years of creditable service, or attainment of age seventy if earlier.

Any member in service who has attained his normal retirement date shall be retired by the Commission on a service retirement allowance upon his written application setting forth at what time, not less than thirty nor more than ninety days next following the execution and filing thereof, he desires to be retired, notwithstanding that during such period of notification he may have separated from service.

(b) Any member in service who has attained age seventy shall be retired forthwith by the Commission on a service retirement allowance; provided that upon the request of his department head, approved by the Commission, a member who has attained age seventy may be permitted to continue in active service for a period of one year as the result of each such re-

quest. More than one such request may be made relative to a person. Notwithstanding an extension of a member's service after he has attained age seventy, such member shall be retired by the Commission on a service retirement allowance upon his written application setting forth at what time, not less than thirty nor more than ninety days next following the execution and filing thereof, he desires to be retired.

(c) The annual service retirement allowance shall be equal to two per centum (2 pct.) of the member's average monthly compensation multiplied by the number of months of his creditable service. The annual service retirement allowance shall not exceed twelve times sixty per centum (60 pct.) of the member's average monthly compensation.

(2) Early Retirement Allowance

(a) A member who has not reached his normal retirement date but who has completed fifteen years of creditable service and has attained age fifty-five in the case of a new member or in the case of a prior member in Class I, or age fifty in the case of a prior member in Class II, may be retired from service on an early retirement allowance not less than thirty nor more than ninety days next following receipt by the Commission of written application therefor made by the member.

(b) The early retirement allowance shall commence immediately and shall be equal to a service retirement allowance computed on the basis of his average monthly compensation and creditable service at the time of early retirement, reduced by one-half of one per centum ($\frac{1}{2}$ pct.) for each month by which his early retirement date precedes his normal retirement date.

(3) Disability Retirement Allowance

(a) Upon the application of a member in service or of the head of the department in which the member is employed, any member who has completed ten years of creditable service may be retired by the Commission on a disability retirement allowance not less than thirty nor more than ninety days next following the execution and filing of such application; provided that the Medical Board, after a medical examination of such member, shall certify that he is mentally or physically incapacitated for the further performance of duty, that such incapacity did not result from an accident in the actual performance of duty entitling him to Workmen's Compensation or a similar benefit under the laws of the State of Alabama, that such incapacity is likely to be permanent, and that such member should be retired. If the member is entitled to sick leave with pay under the laws, rules and regulations governing County employees, the disability retirement allowance shall not commence until the expiration of such sick leave with pay.

(b) The disability retirement allowance shall be equal to a service retirement allowance computed on the basis of the member's average monthly compensation and creditable service at the time of disability retirement.

(c) If a member becomes mentally or physically incapacitated for the further performance of duty as the result of an accident occurring in the performance of his duty as a County employee entitling him to Workmen's Compensation or similar benefits payable under the laws of the State of Alabama, he shall be paid his accumulated contributions in a lump sum.

(4) Vested Retirement Allowance

(a) A member who has not reached his normal retirement date but whose service is terminated for any reason other than death or retirement after the completion of fifteen years of creditable service shall be entitled to a vested retirement allowance upon application therefor not less than ninety days prior to his normal retirement date, provided that he does not withdraw his accumulated contributions in accordance with Subsection (6) (a) of this Section 6.

(b) The vested retirement allowance shall be a deferred allowance commencing on the first day of the calendar month coincident with or next following the former member's normal retirement date or on the first day of the calendar month coincident with or next following receipt by the Commission of application therefor made by the former member, whichever is later, and shall be equal to a normal retirement allowance computed under the benefit provisions of the Retirement System in effect on the date of termination of service on the basis of his average monthly compensation and creditable service as of such date.

(5) Survivor Allowance

(a) Upon the receipt of proof, satisfactory to the Commission, of the death of a member in service who has attained his normal retirement date or who has completed fifteen years of creditable service, or of a former member entitled to a vested retirement allowance, a survivor allowance shall be paid to the surviving spouse, if any, of the deceased member or former member, as the case may be, until the earlier of the death or remarriage of such surviving spouse, provided that the member's death is not the result of an accident in the actual performance of duty entitling his surviving spouse or children to Workmen's Compensation or a similar benefit under the laws of the State of Alabama. If there is no surviving spouse, or if such spouse dies or remarries before the youngest child of the deceased member or former member has attained age eighteen, the survivor allowance shall be paid to or for the use of the member's child or children under said age, if any, divided in such manner as the Commission in its discretion shall determine, to continue until each such child dies or attains said age. If such member or former member dies prior to his normal retirement date the survivor allowance shall be deferred to commence on said date and shall be payable to his spouse or children, as the case may be, who are eligible for such allowance on said date.

(b) In the case of a member in service who has attained his normal retirement date, the survivor allowance shall be equal to seventy-five (75 pct.) percentum of the service retirement allowance to which he would have been entitled had he retired on the date of his death. In the case of a member in service who has not attained his normal retirement date or of a former member the survivor allowance shall be equal to seventy-five (75 pct.) percentum of the vested retirement allowance which would have been payable at normal retirement date had such member or former member survived to said date, on the assumption in the case of a member in service that he terminated service on the date of his death.

(c) Any member may, by written notice filed with the Commission, elect that in the event of his death under conditions entitling his survivors to an allowance under this Subsection (5) his accumulated contributions shall be payable in the manner provided by Subsection (6), (b), of this section, in lieu of any survivor allowance otherwise payable.

(6) Return of Contributions

(a) Should a member cease to be an employee for any reason other than death or retirement under the provisions of this Act, he shall be paid on demand his accumulated contributions without interest.

(b) Upon the receipt of proof, satisfactory to the Commission, of the death of a member prior to retirement, his accumulated contributions without interest shall be paid to such person, if any, as he shall have nominated by written designation duly acknowledged and filed with the Commission, if such person survives him, otherwise to the estate of the member, provided that no survivor allowance is payable under subsection (5) of this Section.

(c) Upon the receipt of proof, satisfactory to the Commission, of the death of a retired member who has not elected the optional benefit provided by Subsection (9) of this Section, the excess, if any, of his accumulated contributions without interest over the sum of the retirement allowance payments received by him shall be paid to such person, if any, as he shall have nominated by written designation duly acknowledged and filed with the Commission, if such person survives him, otherwise to the estate of the member.

(d) After three years from the date and time any return of contributions is due an employee, no claim, suit or action may be filed or brought in any court of law or equity or otherwise for the return of such sum, provided that this paragraph shall not be applicable in the case of a member who is entitled to a vested retirement allowance pursuant to Subsection (4) of this Section.

(e) All sums remaining after being barred by Paragraph (d) of this Subsection shall vest in the Retirement System.

(f) Any employee who has more than five years membership service at the time his accumulated contributions are to be paid under Paragraphs (a), (b) or (c) of this Subsection (6), shall be paid his accumulated contributions plus an amount equal of three per centum (3 pct.) of his accumulated contributions.

(7) Re-examination of Beneficiaries Retired on Account of Disability

(a) Once each year during the first five years following the retirement of a member on a disability retirement allowance, and once in every three year period thereafter, the Commission may, and upon his application shall, require any disability beneficiary who has not yet attained his normal retirement date to undergo a medical examination, by the Medical Board or by a physician or physicians designated by the Medical Board such examination to be made at the place of residence of such beneficiary or other place mutually agreed upon. Should any disability beneficiary who has not attained his normal retirement date refuse to submit to such medical examination, his retirement allowance may be discontinued by the Commission until his withdrawal of such refusal, and should his refusal continue for one year, all his rights in and to his retirement allowance may be revoked by the Commission.

(b) Should the Medical Board report and certify to the Commission that a disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his average monthly compensation at retirement, and should the Commission concur in such report, then the part of his allowance not provided by

his own contributions shall be reduced to an amount which, together with the part of his allowance provided by his own contributions, and the amount earnable by him, shall equal the amount of his average monthly compensation at retirement. Should his earning capacity be later changed, the amount of his allowance may be further modified, provided that it shall not exceed the amount originally granted.

(8) Restoration of Beneficiaries to Membership

Should a disability beneficiary be restored to or be in service at a compensation equal to or greater than his average monthly compensation at retirement, or should any other beneficiary be restored to service, his retirement allowance shall cease, any election of the optional benefit under Subsection (9) of this Section shall become void, he shall again become a member of the Retirement System and shall contribute thereafter at the then prevailing rate. An amount equal to the actuarial reserve held for the part of his retirement allowance provided by his contributions shall be credited to him as accumulated contributions. Any creditable service to which he was entitled when he retired shall be restored to him, and upon subsequent retirement his retirement allowance shall be based on his compensation and creditable service before and after the period of prior retirement; provided that if he does not complete three years of creditable service after his restoration to service, the part of his retirement allowance upon subsequent retirement payable with respect to creditable service rendered before the period of his previous retirement shall be equal to his previous retirement allowance with all of the provisions of the optional benefit under Subsection (9) of this Section restored, if such benefit was elected, with respect to such part of his retirement allowance.

(9) Optional Benefit

(a) Until the first payment on account of his retirement allowance becomes normally due, any member may elect to convert the retirement allowance otherwise payable to him into a modified retirement allowance as described below; provided, however, that should he die within thirty days after the first payment on account of his retirement allowance becomes normally due, his optional election shall not be effective and he shall be considered to be a member in service at the time of his death, and any amount payable under Subsection (5) or Subsection (6) of this Section shall be reduced by any retirement allowance payments received by him prior to his death.

(b) The optional benefit shall be a retirement allowance payable during the life of the retired member, equal to ninety per centum (90 pct.) of the retirement allowance which would otherwise have been payable to the retired member, with the provision that upon his death an allowance equal to seventy-five per centum (75 pct.) of the allowance which would otherwise have been payable to the retired member shall be paid to his surviving spouse, if any, until the earlier of the death or remarriage of the surviving spouse. If there is no surviving spouse, or if such spouse dies or remarries before the youngest child of the deceased retired member has attained age eighteen, such allowance shall be paid to or for the use of the retired member's child or children under said age, if any, divided in such manner as the Commission in its discretion shall determine, to continue until each such child dies or attains said age.

(10) Increase in Retirement Allowances to Certain Beneficiaries

Commencing as of the effective date of this Act, the retirement allowance payable to each member in Class I who retired prior to said date, or to his survivors if he elected the optional benefit, and the survivor allowance payable to each surviving spouse or child of a member in Class I who died prior to said date shall be increased to the amount which would have been payable if the allowance had been determined on the basis of a service retirement allowance computed in accordance with Subsection (1) (c) of this Section 6, but subject to all other provisions of Act No. 833 of 1969.

Section 7. Method of Financing

All of the assets of the Retirement System shall be credited, according to the purpose for which they are held, among three accounts, namely, the Members' Account, the Accumulation Account, and the Expense Account.

(1) Members' Account

(a) The Members' account shall be the account in which shall be held the contributions made under the Pension Plan or the Pension System by members who were covered thereunder prior to their date of membership and in which shall be accumulated the contributions deducted pursuant to this Act from the compensation of members. The rate of contribution to the Retirement System by the members shall be four and one-half per centum (4½ pct.) of earnable compensation. No deduction shall be made from the compensation of a member who has completed thirty years of creditable service.

(b) The Commission shall cause to be deducted from the compensation of each member on each and every payroll for each and every payroll period such proportion of the member's earnable compensation. In determining the amount earnable by a member in a payroll period, the Commission may consider the rate of compensation payable to such member on the first day of a payroll period as continuing throughout the payroll period, and it may omit deduction from compensation for any period less than a full payroll period if an employee was not a member on the first day of the payroll period, and to facilitate the making of deductions it may modify the deduction required of any member by such an amount as shall not exceed one-tenth of one per centum of the compensation upon the basis of which such deduction is made.

(c) The deductions provided for herein shall be made notwithstanding that the minimum compensation provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions made and provided for herein and shall receipt for his full salary or compensation, and payment of salary or compensation less said deduction and less other authorized deductions shall be a full and complete discharge and acquaintance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payment.

(d) The proper authority or officer responsible for making up the payroll shall certify to the Commission the amounts deducted on each and every payroll and each of such amounts shall be paid into the Members' Account and credited to the individual account of the member from whose compensation the deduction was made. There shall be credited to the individual account of each member as of his date of membership the amount of his contributions, if any, transferred from the Pension Plan or the Pension System.

(e) The accumulated contributions of a member, paid upon his death or withdrawn by him as provided in this Act, shall be paid from the Members' Account. Upon the retirement of a member, or if a survivor allowance becomes payable on his account, his accumulated contributions shall be transferred from the Members' Account to the Accumulation Account.

(2) Accumulation Account

(a) The Accumulation Account shall be the account in which shall be accumulated all contributions made by the County to provide benefits under the Retirement System and from which shall be paid all retirement allowances and other benefits under the Retirement System, other than those payable from the Members' Account. The amounts of assets transferred from the Pension Plan and the Pension System to the Retirement System pursuant to Section 9, Subsection (2), of this Act which are in excess of the amounts credited to the Members' Account as accumulated contributions shall be credited to the Accumulation Account.

Regular Contributions by County

(b) On account of each member there shall be paid annually into the Accumulation Account a certain percentage of the compensation of each member to be known as the "normal contribution," and an additional percentage of his compensation to be known as the accrued liability contribution". The rates per centum of such contributions shall be fixed on the basis of the liabilities of the Retirement System as shown by actuarial valuation. Until the first valuation after the effective date of this Act, the normal contribution shall be 4.75 per centum of the compensation of members and the accrued liability contribution shall be 6.25 per centum of the compensation of members.

(c) The normal rate of contribution shall be determined after each actuarial valuation. During the period over which the accrued liability contributions are payable, the normal rate of contribution shall be determined, on the basis of regular interest and the tables last adopted by the Commission, as the uniform and constant percentage of the compensation of the average new entrant member which, if contributed on the basis of the prospective compensation of such new entrant throughout his entire period of active service, would be sufficient to provide for the payment of any retirement allowance or other benefit payable on his account not provided by his own contributions. After the accrued liability contributions have ceased to be payable, the normal contribution rate shall be the rate per centum of the compensation of all members obtained by deducting from the total liabilities of the Accumulation Account the amount of the funds in hand standing to the credit of the Accumulation Account and dividing the remainder by one per centum of the present value of the prospective compensation of all members, as computed at regular interest on the basis of the tables last adopted by the Commission.

(d) Immediately succeeding the first valuation after the effective date of this Act, the accrued liability shall be computed by the actuary as the amount of the total liabilities of the Accumulation Account on account of all members and beneficiaries in excess of the funds in hand held on their account in the Accumulation Account which is not dischargeable by the aforesaid normal contributions to be made on account of such members during the remainder of their active service. The accrued liability contribution rate shall be determined by calculating the amount which, if paid each year during the

remainder of the forty year period immediately following the operative date, would liquidate such accrued liability, and dividing such amount by one per centum of the total earnable compensation of all members. On the recommendation of the actuary, subject to the approval of the Commission the accrued liability contribution rate may, from time to time, be adjusted to reflect any increase in the unfunded accrued liability arising from any amendment to this Act or to reflect any change in the unfunded accrued liability arising from any change in the mortality and service tables or the rate of regular interest on which the actuarial valuations are based. In no event shall the accrued liability contribution rate as of any valuation date be less than the percentage of the earnable compensation of all members which is equal to regular interest for one year on the unfunded accrued liability as of such valuation date.

(e) The total amount payable by the County in each year to the Accumulation Account shall be not less than the sum of the rates per centum, known as the normal contribution rate and the accrued liability contribution rate, of the total compensation of all members during the preceding year; provided, however, that the aggregate payment shall be sufficient, when combined with the amount in the Account, to provide the part of the retirement allowances and other benefits provided by contributions made by the County payable to members and beneficiaries during the year then current. The County's contributions to the Retirement System shall be paid from the County departmental fund from which each particular employee derives his payment of wages or salary.

(f) The accrued liability contributions shall be discontinued as soon as the amount of the funds standing to the credit of the Accumulation Account shall equal the present value, as actuarially computed and approved by the Commission, of the total liabilities of the Account on account of all members and beneficiaries less the present value of the normal contributions to be received at the normal rate then in force on account of persons who are at that time members.

Interest

(g) All interest and dividends earned on the funds of the Retirement System shall be credited to the Accumulation Account.

(h) Regular interest shall mean interest at the per centum rate or rates compounded annually as shall be determined by the Commission from time to time, limited to a minimum of two per centum (2 pct.) and a maximum of five per centum (5 pct.), with the latter rate applicable from the operative date until changed by the Commission.

Benefits Payable from Accumulation Account

(1) All retirement allowances to beneficiaries, and benefits in lieu thereof, shall be paid from the Accumulation Account.

(3) Expense Account

The Expense Account shall be the account to which shall be credited all money provided by the County to pay the administration expenses of the Retirement System, and from which shall be paid all the expenses necessary in connection with the administration and operation of the Retirement System.

(4) Appropriations

On or before the first day of October of each year the Commission shall determine the amount of the appropriation necessary to pay the normal and accrued liability contributions to the Accumulation Account for the ensuing year, and the amount of appropriation required to cover the expenses necessary in connection with the administration and operation of the Retirement System, and such amounts shall be included in the Budget, in accordance with legal budget procedure.

Section 8. Management of Funds

(1) The members of the Commission shall be the trustees of all of the assets of the Retirement System and shall have full power to invest and reinvest such assets, including the power to hold, purchase, sell, assign, transfer and dispose of any of the securities and investments in which any of the assets of the Retirement System may have been invested, as well as the proceeds of said investments and any moneys belonging to the Retirement System.

(2) The Commission shall designate either the Administrator of the Commission or a bank or trust company, to be the custodian of the assets of the Retirement System. All payments from the funds of the Retirement System shall be made only upon regular vouchers signed by the Administrator of the Commission. No voucher shall be drawn unless it shall have been previously authorized by resolution of the Commission.

(3) The Commission may appoint an Investment Committee which shall consist of three members of the Commission. The Investment Committee shall have the authority and it shall be its duty to carry out the investment policies fixed by the Commission, and pursuant thereto it shall examine all offers of investments made to the Retirement System, shall initiate inquiries as to available investments therefor, shall review periodically the investment quality and desirability of retention of investments held, and shall from time to time make, or cause to be made, such purchases and sales of investments as it shall deem to be in the best interests of the Retirement System. The Investment Committee may act through the affirmative vote of any two of its members.

(4) The Commission may appoint and employ a bank or trust department thereof or other investment advisor as consultant to the Commission or to the Investment Committee, in the purchase, sale and review of investments of the Retirement System, to such extent as the Commission may designate.

(5) For the purpose of meeting disbursements for retirement allowances and other payments, there may be kept on deposit available cash, not exceeding ten per centum of the total assets of the Retirement System.

(6) Except as otherwise herein provided, no member or employee of the Commission shall have any direct or indirect interest in the gains or profits of any investment made by the Commission. No member or employee of the Commission shall, directly or indirectly, for himself or as an agent, in any manner use said gains or profits, except to make such current and necessary payments as are authorized by the Commission.

Section 9. Certain Provisions Relating to the Pension Plan and the Pension System.

(1) This act and the provisions of this Retirement System shall supersede the Pension System as to any persons becoming employed by the County on and after the operative date, and no person becoming an employee of the county after said date shall participate in any way in the Pension System.

(2) The assets of the Pension Plan and of the Pension System as of the operative date shall be allocated between those employees who elect to become members of the Retirement System pursuant to Section 3, Subsection (3), of this Act and those who elect to remain covered under the Pension Plan or the Pension System, in the following manner. On account of each non-retired employee, there shall be allocated an amount equal to the sum of his contributions under the Pension Plan or the Pension System, as the case may be. The balance of the assets of the Pension Plan and the Pension System, after deducting the employees' contributions thereunder so allocated, shall be allocated in proportion to such employees' contributions under the Pension Plan and the Pension System, respectively. The total amount of assets so allocated under the Pension Plan and the Pension System on account of employees who elect to become members of the Retirement System shall be transferred to the Retirement System as soon as practicable after the operative date. In a similar manner, the amount of the assets of the Pension Plan and the Pension System as of the effective date of this Act which are allocable to those employees who elect, pursuant to Section 3, Subsection (4), to become members of the Retirement System shall be determined and shall be transferred to the Retirement System as soon as practicable after the effective date of this Act.

(3) The County shall from time to time make such contributions to the Pension Plan and the Pension System as are necessary to provide the benefits thereunder on account of employees retired prior to the operative date and on account of employees who elect to remain covered thereunder pursuant to Section 3, Subsections (3) and (4), of this Act.

(4) Notwithstanding the provisions of Section 8 of Act. No. 176 of 1959 and Section 7 of Act No. 177 of 1959, the Commission is authorized to commingle with the funds of the Retirement System for purposes of investment the assets remaining in the Pension Plan and the Pension System after the transfers of assets to the Retirement System pursuant to Subsection (2) of this Section 9 have been made and any additional amounts paid to the Pension Plan and the Pension System after the effective date of this Act and the powers of the Commission to hold and invest the assets of the Pension Plan and the Pension System shall be the same as provided in Section 8 of this Act with respect to the funds of the Retirement System.

Section 10. Assignments Prohibited

(1) The property and funds of the Retirement System, the contributions of members deducted from their compensation, the right of a person to a retirement allowance or other benefit, and any other right accrued or accruing to any person under the provisions of this Act and the moneys in the various accounts created by this Act shall not be subject to taxation by the County nor by the State of Alabama, nor be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency laws or any other process of law whatsoever to satisfy any debt or liability of any member, and shall be unassignable except as in this Act specifically provided.

(2) Nor shall any benefit or sum be mortgaged, pledged or alienated except that an employee entitled to any return of contributions or payments due him or her which has not been actually received may dispose of such sum or claim thereto by Last Will and Testament or the disposition of such sums shall be subject to the laws of Descent and Distribution of Alabama, in existence at such time in the event of such employee leaving no valid last will.

Section 11. Protection Against Fraud

Whoever with intent to deceive shall make any claim, statements, representations or reports required under this Act which are untrue, or shall falsify or permit to be falsified any record or records of this Retirement System shall be fined not to exceed one hundred dollars, or imprisoned in the Montgomery County Jail not to exceed six months, or both.

Section 12. Errors

Should any change or error in the records result in any member or beneficiary receiving from the Retirement System more or less than he would have been entitled to receive had the records been correct, the Commission shall have the power to correct such error, and as far as practicable, to adjust the payments in such a manner that the actuarial equivalent of the benefit to which such member or beneficiary was correctly entitled shall be paid.

Section 13. General Conditions

(1) The Commission shall have the continuing right and power to implement this Act at any time, by promulgating reasonable rules and regulations and making reasonable interpretations and orders; and the Legislature hereby expressly reserves to itself the right and power to amend, supplement, modify, or repeal this Act at any time.

(2) All provisions of any Act inconsistent with the provisions of this Act are hereby expressly repealed to the extent of such inconsistency.

(3) If any section or part of any section of this Act is declared to be unconstitutional, the remainder of the Act shall not thereby be invalidated.

Section 14. Date Act Effective

This Act shall take effect on the first day of the month following its passage by the Legislature and approval by the Governor, or its otherwise becoming a law.

STATE OF ALABAMA MONTGOMERY COUNTY

Before me, Margaret B. Morgan, a Notary Public in and for the State and County aforesaid, personally appeared Betty K. Shine who, first being duly sworn according to law, deposes and says that she is BOOKKEEPER for The Advertiser Company, publishers of The Montgomery Advertiser and the Alabama Journal, and that the advertisement of Montgomery County Commission A Bill to be entitled an act, appeared in said publication The Montgomery Advertiser, May 16, 23, 30, and June 6, 1973.

BETTY K. SHINE.

Sworn and subscribed before me this 6th day of June 1973.

MARGARET B. MORGAN,
Notary Public.

REGULAR SESSION
12th Day

995

By Mr. Hale:

H. 1067. To further regulate fireworks and for such purposes amends Title 51, Section 526, Code of Alabama 1940, as amended, so as to require that such license be restricted to the sale of sparklers, dip sticks and caps only as allowed under Title 14, Section 125 (6), Code of Alabama 1940, as amended; and to require that said restriction be printed in bold print on the face of the license.

Public Welfare.

By Mr. Hale:

H. 1068. To provide that all the courts in Alabama shall hold that the common law doctrine of attractive nuisance includes artificial bodies of water such as ponds, lakes and swimming pools.

Judiciary.

By Messrs. Collins and Callahan:

H. 1069. To authorize a transfer between certain funds of the State Docks Department, amending Section 15 of Act No. 311, H. 253, approved August 20, 1957, an act providing for development of inland docks (Acts of Alabama 1957, Vol. I, P. 408), and providing that the amendment shall have retroactive effect.

Commerce and Transportation.

By Messrs. Callahan and Downing:

H. 1070. To provide that a licensee of the Alabama Alcoholic Beverage Control Board shall not be required to give a sales check or receipt showing the price of the alcoholic beverage(s) consumed by any of its customers, guests or members.

Commerce and Transportation.

By Messrs. Callahan and Collins:

H. 1071. To authorize the Division of Marine Resources of the Department of Conservation and Natural Resources to sell or barter for the purpose of establishing fishing reefs in offshore waters of Alabama certain liberty ships now in the custody of said Division for the benefit of the states of Alabama, Mississippi and Florida.

Commerce and Transportation.

By Messrs. Callahan and Downing:

H. 1072. To amend Section 21, Title 29, Code of Alabama 1940, which relates to sales of liquor by hotel, restaurant or club licensees, so as to remove the provision that hotels, clubs, and restaurants cannot maintain a counter or bar.

Commerce and Transportation.

By Messrs. Callahan and Downing:

H. 1073. To provide that Dauphin Island, located in Mobile County, be designated a bird sanctuary; providing penalties for the violation of this act.

Conservation.

By Messrs. Callahan and Downing:

H. 1074. To amend Sections 13, 15, 21 and 22 of Title 29, which sections relate to hotel, restaurant and club liquor, beer and wine licenses for sale of such beverages, so as to allow such liquor licensees to sell said beverages for consumption either on or off the premises in which the sale is made.

Commerce and Transportation.

By Messrs. Roberts and Lyons:

H. 1075. To grant to any medical clinic board heretofore or hereafter organized under the provisions of Act No. 516 enacted at the 1955 Regular Session of the Legislature of Alabama, as amended, the power to borrow money for temporary use for any purpose or purposes for which bonds are authorized to be issued under said act and to issue interest-bearing bond anticipation notes in evidence of such temporary borrowing and the power (in connection with the issuance by it of bonds under the provisions of said Act No. 516) to use and apply such portion of the proceeds from the sale of such bonds as its Board of Directors deems advisable, but not exceeding 7-1/2 % of the principal amount thereof, for the purpose of creating a reserve or cushion for payment of the principal of and the interest on such bonds.

Health.

By Messrs. Downing, Callahan and Carnes:

H. 1076. To amend Code of Alabama 1940, Title 29, Section 73, which relates to unlawful sites for liquor stores in certain municipalities classified according to population, so as to change such classification.

Commerce and Transportation.

By Mr. Wood:

H. 1077. To amend Sections 2 and 68 of Title 36, Code of Alabama 1940, relating to the offense of driving while intoxicated, to further define the penalties imposed and further regulate the enforcement of such laws.

Judiciary.

By Messrs. Therrell, Grey (D), Wynot, Carnes, Carter and Cross:

H. 1078. To regulate the spending of public officials for the period between the end of the term of his appointment and the taking of office of his successor.

Ways and Means.

By Mr. Wood:

H. 1079. To provide for the destruction of court records by the Clerk of Court in Counties of more than 300,000 population.

Local Legislation No. 3.

By Messrs. Therrell, Grey (D), Wynot and Carnes:

H. 1080. To provide that all paid firemen in the fire department of any city or town in the State of Alabama shall not be required to work in excess of 56 hours in any average week throughout the calendar year.

Local Government.

By Messrs. Timmons, Waggoner, Doss, Wallace, McMillan, Dill, Ellis, Adwell, Hughes, Boles, McNair, Weeks and Boutwell:

H. 1081. To fix the compensation or salary of the Treasurer of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Local Legislation No. 2

By Messrs. Adwell, Timmons, Dill, McNair, Ellis, Boles, Bowers, Hughes, Waggoner, McBride, Boutwell, Weeks, Falkenburg, McMillan, Doss, Erdreich, Gafford and Callahan:

H. 1082. To require that a process date be affixed to all containers of cottage cheese, including a maximum date of freshness in all counties having a population of 600,000 or more; to provide penalties for violation of this act.

Local Legislation No. 2.

By Messrs. Adwell, Boutwell, Weeks, McNair, Boles, Waggoner, Meeks, Hughes, Ellis and Wallace:

H. 1083. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Local Legislation No. 2.

By Messrs. St. John and Dill:

H. 1084. To amend further Act 422, H. 325, Regular Session 1951 (Acts 1951, p. 745) as amended, which Act regulates the conduct of the Real Estate business in Alabama, by providing that expenditures of the Real Estate Commission may be approved and authorized by the Director of the Real Estate Commission and validating all expenditures of the Commission which were made since October 1, 1972, on the signature of the Director.

State Administration.

By Messrs. St. John and Dill:

H. 1085. To amend further Act 422, H. 325, Regular Session 1951 (Acts 1951, p. 745), as amended which Act regulates the conduct of the real estate business in Alabama to provide that all licensed real estate brokers shall display a sign at their place of business, and granting the Real Estate Commission the authority to prescribe the dimensions and form of such sign.

State Administration.

By Mr. Perloff:

H. 1086. To amend Section 2 of Act No. 370, S. 439, Regular Session 1953 (Acts 1953, p. 439), which section relates to the authority of the governing body of any city or town in any county of the State of Alabama having a population of not less than 225,000 nor more than 500,000 inhabitants, according to the most recent federal decennial census, to confer upon the

chief of police of any such city or town to suspend any employees of the police department of such city or town, so as to provide that such suspended employees shall have right of appeal from such suspension.

Local Legislation No. 3.

By Mr. Williams:

H. 1087. To provide for the enactment of and make Alabama a party to the Southern Growth Policies Agreement.

Ways and Means.

By Mr. Coshatt (With Notice and Proof):

H. 1088. To alter, redefine and reduce the corporate limits of the City of Rainbow City so as to exclude therefrom any and all territory lying within the boundaries of St. Clair County.

Local Legislation No. 1.

Notice and Proof H. 1088:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, redefine and reduce the corporate limits of the City of Rainbow City so as to exclude therefrom any and all territory lying within the boundaries of St. Clair County.

Be It Enacted by the Legislature of Alabama:

Section 1. The corporate limits of the City of Rainbow City are hereby altered, redefined and reduced so as to exclude from the boundaries of said city any and all territory which lies within the boundaries of St. Clair County.

Section 2. All laws or parts of laws in conflict with this act are hereby repealed.

Section 3. This act shall become effective on the first day of the first month next following date of its enactment.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy who, being by me first duly sworn, deposes and says that during the times, herein mentioned he was Bookkeeper of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was

published in said newspaper once a week for four successive weeks, said notice having appeared in the issues of said paper on March 29, April 5, 12, and 19, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me April 26, 1973.

ANNE T. MILAM,
Notary Public.

By Mr. Coshatt (With Notice and Proof):

H. 1089. To provide that no municipality whose corporate limits do not lie within or extend into St. Clair County shall have or exercise police jurisdiction or powers in said county.

Local Legislation No. 1.

Notice and Proof H. 1089:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to wit:

A BILL
TO BE ENTITLED
AN ACT

To provide that no municipality whose corporate limits do not lie within or extend into St. Clair County shall have or exercise police jurisdiction or powers in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. No municipality whose corporate limits do not lie within or extend into and embrace or include a portion of St. Clair County shall have or exercise police jurisdiction or police powers in St. Clair County or over or on any person in St. Clair County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violations thereof have force or effect in St. Clair County. Nor shall such municipality exercise any taxing or licensing authority over any person or firm lying within its police jurisdiction within St. Clair County. Provided, however, the provisions of this Act shall not apply to land or property owned by a municipality or a board or agency thereof.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part of parts which remain.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective on the first day of the first month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Bookkeeper of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 29, April 5, 12, and 19, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me April 26, 1973.

ANNE T. MILAM,
Notary Public.

By Mr. Coshatt:

H. 1090. To amend Section 11 of Act No. 1043, H. 1901, Regular Session 1971, (Acts 1971, p. 1851), providing for a liquor tax in counties of a certain population, so as to provide that all revenue collected under this act shall be deposited in the county General Fund; to make this amendment retroactive.

Local Legislation No. 1.

By Messrs. Nettles, Taylor, Stewart, Merrill, Weeks, Dill, McBride, Hearn, Coshatt, Gray (F) and Doss:

H. 1091. To provide compensation of \$20 per day for any person who serves on jury duty more than five consecutive court days.

Ways and Means.

By Messrs. Nettles, Wood, Stokes, Downing, Callahan and Taylor:

H. 1092. To further amend Title 19, Section 56, Code of Alabama 1940, as amended, providing for landowners with no access road to acquire a right of way, so as to provide for the extension in width of such access road from thirty feet to sixty feet.

Judiciary.

By Messrs. Collins and Dill:

H. 1093. To amend Sections 181 through 184 of Title 5 of the 1940 Code which relate to the conversion and consolidation of state banks into and with national banks.

Banking.

By Messrs. Bank, Parker and Culver (With Notice and Proof):

H. 1094. Governing the pleading, practice and procedure in civil actions in the Tuscaloosa County Court by adopting the Alabama Rules of Civil

Procedure to increase the jurisdiction in civil actions in the Tuscaloosa County Court and to provide an expense allowance for the judge of the Tuscaloosa County Court.

Local Legislation No. 1.

Notice and Proof H. 1094:

A BILL
TO BE ENTITLED
AN ACT

Governing the pleading, practice and procedure in civil actions in the Tuscaloosa County Court by adopting the Alabama Rules of Civil Procedure to increase the jurisdiction in civil actions in the Tuscaloosa County Court and to provide an expense allowance for the judge of the Tuscaloosa County Court.

Be It Enacted by the Legislature of Alabama:

Section 1. In so far as applicable the Alabama Rules of Civil Procedure adopted by the Supreme Court of the State of Alabama to become effective on July 3, 1973, shall govern all pleading, practice and procedure in all civil actions in the Tuscaloosa County Court, except there shall be no pretrials or pretrail orders; however, nothing in this Act shall be construed as conferring on any party a right to trial by jury in the Tuscaloosa County Court.

Section 2. The Tuscaloosa County Court shall have jurisdiction in civil actions in which the amount involved is Two Thousand and no/100 (\$2,000.00) Dollars or less.

Section 3. The judge of the Tuscaloosa County Court shall be paid an expense allowance of Five Thousand and no/100 (\$5,000.00) Dollars per annum which shall be in addition to any and all other expenses, allowances, salary and other compensation now provided by law. Such allowance shall be paid in equal monthly installments out of the county general fund.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
TUSCALOOSA COUNTY

I hereby certify that the attached notice was published in Graphic, a newspaper published in and having a general circulation in the City and County of Tuscaloosa, Alabama, once a week for four consecutive weeks; viz April 12, 19, 26, and May 3, 1973.

WANDA KIRKLAN,
Legal Clerk.

Subscribed and sworn to before me on this the 3rd day of May 1973.

LaJUNE BURNETT,
Notary Public.

By Mr. Slate:

H. 1095. To provide additional judges for the Eighth Judicial Circuit of Alabama.

Judiciary.

By Messrs. Parker and Manley:

H. 1096. To amend Title 15, Section 318, Code of Alabama 1940, which relates to the appointment and compensation of counsel for defendants in capital cases.

Ways and Means.

By Messrs. Flippo and Hill:

H. 1097. To change the effective date of Act No. 392, General Acts 1967, page 979, so as to make said Act effective upon the passage and approval of this Act by the Governor or its otherwise becoming a law.

Commerce and Transportation.

By Messrs. Flippo and Crowe:

H. 1098. To prevent the payment of more than one county or municipal tax on the sale or use of tangible personal property in this state, except as provided for in the act, by providing a credit for tax required to be paid to one jurisdiction to be allowed on a sales or use tax required to be paid to another jurisdiction.

Commerce and Transportation.

By Messrs. Flippo, Hill and Crowe:

H. 1099. To amend Section 707, Title 51, Code of Alabama 1940, relating to the operation of motor vehicles by non-residents on the streets and highways of the state of Alabama by providing for the licensing of such vehicles; providing for the enforcement of the provisions of the Act; providing for a ten day temporary license; providing for the distribution of amounts to be collected; providing authority for the department of revenue to enter into reciprocity and proration agreements with other states, and repealing laws in conflict with this Act; providing for payments of motor vehicle licenses by residents operating motor vehicles in interstate commerce under proration agreements.

Commerce and Transportation.

By Mr. Flippo:

H. 1100. To change the effective date of Act No. 396, General Acts 1967, page 999, so as to make said Act effective upon the passage and approval of this Act by the Governor or its otherwise becoming a law.

Commerce and Transportation.

REGULAR SESSION
12th Day

1003

By Mr. Flippo:

H. 1101. To change the effective date of the Multistate Tax Compact Act, Act No. 395, General Acts 1967, page 982, so as to make said Act effective upon the passage and approval of this Act by the Governor or its otherwise becoming a law.

Commerce and Transportation.

By Mr. Flippo:

H. 1102. To amend Title 51, Section 351, Code of Alabama 1940, so as to remove the requirement that the domestic corporation and foreign corporation franchise tax return include a written statement under oath.

Commerce and Transportation.

By Messrs. Flippo and Hill:

H. 1103. To amend Sections 435, 438, 439, 440 and 445 of Title 51 of the Code of Alabama of 1940 so as to change the time for certain acts with respect to estates of decedents dying after the effective date of this act.

Commerce and Transportation.

By Mr. Flippo:

H. 1104. To amend Title 51, Section 442, Code of Alabama 1940, concerning liens for Estate Tax purposes.

Commerce and Transportation.

By Messrs. Mims, McCorquodale, Turnham, Downing, Grainger, Agee, Lutz, Pruitt, Hearn, Warren, Hale and King:

H. 1105. To provide a service fee for tax assessors and tax collectors for assessing and collecting ad valorem taxes on motor vehicles.

Ways and Means.

By Mr. Parker:

H. 1106. To further amend Act No. 491, S. 444 of the Regular Session of 1961 (Acts, 1961 Regular Session, p. 563) which provides for a commission form of government for cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census, in relation to the compensation of the chairman and associate members of the commission.

Local Legislation No. 1.

By Mr. Burgess:

H. 1107. To repeal Act No. 197, H. 222, approved February 10, 1972, Third Special Session, 1971 (Acts 1971, p. 4462), entitled, "An Act to make an appropriation for each year of the ensuing biennium from the general fund in the State Treasury to be used by the State Department of Pensions and Security to match federal funds for the purpose of paying the increase in benefits to the blind pursuant to Act No. 574 of the 1963 Regular Session of the Legislature, as amended by Act No. 2429, H. 2067 of the 1971 Regular Session."

Public Welfare.

By Mr. Burgess:

H. 1108. To amend further Code of Alabama 1940, Title 51, Section 741, as amended by Act No. 73, Section 2, Acts of Alabama 1955, Vol. I, p. 188 at pp 190-191, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Public Welfare.

By Mr. Burgess:

H. 1109. To amend further Code of Alabama 1940, Title 51, Section 350, as amended, by Act No. 74, Acts of Alabama 1955, Vol. I, p. 191 at p. 192; and as further amended by Act No. 103, Acts of Alabama 1971, Vol. I, pp 184-186, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Public Welfare.

By Mr. Burgess:

H. 1110. To amend further Act No. 92, Special Session, 1963, Acts of Alabama 1963, Vol. I, p. 257 at p. 258, as amended, by Act No. 135, Acts of Alabama 1964, pp 199-200, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization of the use of funds.

Public Welfare.

By Mr. Burgess:

H. 1111. To further amend Section 5 of Act No. 298, Regular Session, 1947, General Acts of Alabama 1947, p. 149, as amended, by Act No. 589, Acts of Alabama 1963, Vol. II, pp 1285-1287; as further amended by Act No. 766, Acts of Alabama 1965, Vol. II, p. 1378, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Public Welfare.

By Mr. Burgess:

H. 1112. To amend Act No. 100, Section 32, Second Special Session, 1959, Acts of Alabama 1959, Vol. I, p. 298 at pp 314-315, the Alabama Sales Tax Law, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Public Welfare.

By Mr. Burgess:

H. 1113. To amend Act No. 78, Second Special Session, 1955, Acts of Alabama 1955, Vol. 1, p. 199, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Public Welfare.

By Mr. Burgess:

H. 1114. To amend Section 2, Act No. 312, Acts of Alabama 1959, Vol. 2, p. 889 at 890, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Public Welfare.

By Mr. Grey (D):

H. 1115. Relating to counties having a population of not less than 16,245 nor more than 16,300 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Ways and Means.

By Mr. Grey (D):

H. 1116. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Ways and Means.

By Messrs. Bank, Casey, Waldrop, Mims, Hobbie, Collins, Snell, St. John and King:

H. 1117. To recognize that the Federal courts have held that the furnishing and performance of medical services for inmates of correctional institutions is a governmental function; to declare that the doctors and para-medics employed by the Alabama State Board of Corrections performing such medical services shall be relieved of any personal liability, claims or actions as result of performing such services; and, to provide that any such claim that may be made shall be filed through the State Board of Adjustment.

Health.

By Messrs. Bank and Casey:

H. 1118. Relating to mental health defining terms; providing for a classification of patients; providing for the liability of patients and responsible relatives for maintenance and care, and the duty of superintendents; providing for a determination of costs, claims against estate, limitation of actions; providing for the execution of contracts and bonds to secure payment of maintenance and care; providing for care of indigents, determination of indigency, actions to collect for maintenance and care; providing for the establishment of rules for determining indigency and rates of charge; providing authority within department to make general rules to administer the act; providing for the furnishing of necessary financial information and payment of assigned insurance benefits; repealing all conflicting laws.

Health.

By Messrs. Robertson, Hardin, Culver and Parker:

H. 1119. To establish a Bureau of Archaeological Research and the position of State Archaeologist, to locate said Bureau on the University of Alabama Campus; to create an Archaeological Council; to provide for the survey, identification, preservation and/or excavation and study of archaeological sites; to provide for the recovery, acquisition, study, display and preservation of archaeological material; to provide for the regulation of archaeological activity and field archaeology on both public and private lands within the State; to prescribe the duties and responsibilities of the State Archaeolo-

gist; to provide for cooperation with archaeological groups and the Alabama Archaeological Society; to prescribe penalties for violations of the Act; and to provide for appropriation of funds to carry out the purposes of the Act.

State Administration.

By Mr. Pruitt:

H. 1120. To further amend the Code of Alabama 1940, Title 5, Section 81, which relates to legally required reserves of banks within the state, so as to add penalties for the violation thereof.

Banking.

By Mr. Pruitt:

H. 1121. To further amend Act No. 603, H.B. 69, Regular Session 1957 (Acts 1957, p. 862), as amended, an act empowering the superintendent of banks to require fees for the examination of state banks, credit unions, and small loan companies, so as to regulate further the fees imposed for examination of credit unions.

Banking.

By Mr. Williams:

H. 1122. To provide for a uniform payment of cost of collections to the Department of Revenue for collecting county and municipal sales, use, and privilege license taxes.

Ways and Means.

By Mr. Jones (F):

H. 1123. In order to provide to the Department of Revenue a means of apprehending persons evading the tax on tobacco products levied by Section 718 of Title 51, Code of Alabama 1940, and acts supplemental thereto, payments of rewards are authorized for information leading to the apprehension of persons evading the tax or for information leading to confiscation of contraband tobacco products.

Judiciary.

By Mr. Hardin:

H. 1124. To prohibit a town or city from extending its corporate limits so as to include a state park without the approval of the Governor and Commissioner of Conservation; to provide that this act does not apply to the extension of a town or city's police jurisdiction.

Conservation.

By Mr. Hardin:

H. 1125. To rename the State Bureau of Publicity and Information; and to transfer duties and functions now performed by the State Bureau of Publicity and Information.

Conservation.

By Mr. Hardin:

H. 1126. Proposing an amendment to the Constitution of Alabama which would authorize the enactment of general and local laws with criminal

penalties for the conservation and protection of the fish, wildlife, seafoods and agriculture of this state and further, authorizing the delegation to appropriate state agencies the power to promulgate rules and regulations pertaining thereto.

Conservation.

The above bill was read a first time at length as required by the Constitution.

By Mr. Hardin:

H. 1127. To authorize the Bureau of Publicity and Information to prepay to employees of said Department necessary travel expenses for such employees on authorized official State business outside the State of Alabama; to provide certain limitations as to the amount of such prepaid expenses; and to provide that the Department of Examiners of Public Accounts shall annually examine the expenditure of funds used in accordance with this Act.

Conservation.

By Messrs. Perloff, Collins, Therrell, Downing, Roberts, Nettles, Gafford, Falkenburg, McNair, Dill, Timmons, Hughes, Doss, Weeks, Ellis, Waggoner, Boutwell, McBride, Meeks, Bowers and McMillan:

H. 1128. To provide for official Secretary-Court Reporters in all Probate Courts in all counties of the State of Alabama having a population of not less than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such Secretary-Court Reporters; and to provide for the appointment of such Secretary-Court Reporters by each Probate Judge in such counties and to provide for the compensation and salary of such Secretary-Court Reporters; and to abolish Bills of Exceptions in such courts, and to provide that the provisions of Sections 827 (1) thru and including Section 827 (6), as last amended, of Title 7 of Code of Alabama shall apply to and govern procedures in such courts.

Local Legislation No. 2.

By Messrs. Warren, Mims, Wood and Nettles:

H. 1129. To make unlawful the use of an artificial light to spot or locate wildlife while having in possession any device with which wildlife could be killed except as provided by regulations of the Commissioner of the Department of Conservation and Natural Resources; to provide the penalty.

Conservation.

By Messrs. Warren, Mims, Wood and Nettles:

H. 1130. To amend Section 87 of Title 8, Code of Alabama 1940, as amended, pertaining to the penalty for hunting during closed seasons.

Conservation.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Smith (P):

H. J. R. 106. THANKING ALABAMA CATTLEMEN'S ASSOCIATION AND THE ALABAMA COWBELLES FOR THE COOK-BOOKS GIVEN TO MEMBERS OF THE LEGISLATURE.

WHEREAS, the cattle farming industry provides a vital service to the families of Alabama; and

WHEREAS, beef is an excellent and delicious source of nourishment; and

WHEREAS, The Alabama Cattlemen's Association and Alabama CowBelles have presented each of the members of this Legislature a copy of their marvelous cookbook; and

WHEREAS, this cookbook contains hundreds of delicious and easy to prepare recipes; and

WHEREAS, this thoughtful gesture of the Cattlemen's Association and CowBelles should not go unrecognized; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend our sincere gratitude to the Alabama Cattlemen's Association and the Alabama CowBelles for giving each member of this body a copy of their excellent cookbook, and we wish to personally thank the following: Mr. E. H. "Ham" Wilson, Executive Vice-President of the Association; Mrs. Louise Wilson, Secretary of the CowBelles; Mr. W. M. "Bill" Brown, President of the Association; and Mrs. Bill Hixon, President of the Alabama CowBelles.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Alabama Cattlemen's Association, the Alabama CowBelles, Mr. "Ham" Wilson and his wife Louise, Mr. Bill Brown, and Mrs. Bill Hixon.

BE IT FURTHER RESOLVED, That everyone "EAT MORE BEEF."

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 106, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. J. R. 107. COMMENDING RAY FIELDS

WHEREAS, Ray Fields was recently named Star Farmer of Alabama for 1973 by the State Future Farmers of America; and

WHEREAS, his selection as Star Farmer for 1973 marked Ray Fields as the most distinguished agribusiness student of Alabama; and

WHEREAS, Ray Fields has served the agricultural community by judging land and livestock; and

WHEREAS, Ray Fields has demonstrated all of the good qualities of the young American farmer; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Ray Fields for being named Star Farmer of Alabama for 1973.

BE IT FURTHER RESOLVED, That an enrolled copy of this resolution be sent to Mr. Fields and the Alabama Future Farmers of America.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 107, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. J. R. 108. MOURNING THE DEATH OF ROBERT RAYMOND WRIGHT, JR.

WHEREAS, on June 12, 1973 Robert Raymond Wright died after a long life of service to the Walker County community; and

WHEREAS, Mr. Wright was a respected Walker County businessman for many years; and

WHEREAS, Mr. Wright was an active member of his church and Sunday School class; and

WHEREAS, Mr. Wright will be sorely missed by his loved ones and many friends; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the loss of Robert Raymond Wright and express our sympathy to the members of his family.

BE IT FURTHER RESOLVED, That an enrolled copy of this resolution be sent to the members of Mr. Wright's family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 108, on the Clerk's desk for one legislative day.

Also:

By Messrs. McDonald, St. John, Drake and Hearn:

H. J. R. 109. NAMING THAT SECTION OF U.S. HIGHWAY 431 PASSING THROUGH THE CITY OF ALBERTVILLE AS "HOOPER DRIVE."

WHEREAS, John F. Hooper established the First Bank in the City of Albertville, having established the J. F. Hooper Bank in the year of January 1, 1902; and

WHEREAS, his two sons, A. B. (Lon) Hooper, Sr., and E. L. (Lee) Hooper, also operated said bank for many years for the convenience of the people of Albertville; and

WHEREAS, his two grandsons, W. B. (Brashear) Hooper and A. B. (Barber) Hooper, Jr., operated the above bank for a number of years in a courteous and dignified manner; and

WHEREAS, his son A. B. (Lon) Hooper, Sr., and his grandson, A. B. (Barber) Hooper, Jr., served the City of Albertville as Mayor for many years in a dignified and constructive manner; and

WHEREAS, his grandson, S. B. (Bowie) Hooper served in the United States Army during World War I and World War II with honor, having retired as Colonel. He served as United States Postmaster of the City of Albertville for some thirty years, and served as President of the Albertville Lions

Club, as well as serving for many years as a Charter Member of the Albertville Library Board and serving for many years as City Judge for the City of Albertville; and

WHEREAS, his grandson, W. B. (Brashear) Hooper served as Bank Examiner, as Chief Probate Clerk and as teacher of the Methodist Men's Sunday School Class at the First Methodist Church in Albertville for many years; and

WHEREAS, in order to extend to those descendants of the Honorable J. F. Hooper an expression of gratitude for the contributions that the Hooper family have made toward the growth and stability of the City of Albertville; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the section of U. S. Highway 431 beginning at the northernmost point of the Corporate City Limits of Albertville, and extending to the southernmost point of said Corporate Limits, be designated as "Hooper Drive" and the State Highway Department shall cause appropriate signs and markers to be erected along said highway.

The resolution, H. J. R. 109, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Merrill, Burgess, Stewart, Casey and Mathews:

H. J. R. 110. CONGRATULATING AND COMMENDING MISS JANE RICE FOR BEING NAMED MISS ALABAMA

WHEREAS, Miss Jane Rice, the beautiful and talented daughter of Mr. and Mrs. Charles M. Rice of Huntsville, has been named Miss Alabama of 1973; and

WHEREAS, Miss Rice will be a senior this fall at Jacksonville State University, where she is a music major, a member of Delta Omicron, International Professional Music Fraternity for women, an ROTC sponsor, and serves as executive director of the Student Conference on American Government; and

WHEREAS, Miss Rice, prior to being named Miss Alabama, was selected as Miss Northeast Alabama and Homecoming Queen at Jacksonville State University in 1971; and

WHEREAS, Miss Rice is active in her church, serving as Youth Coordinator at Whitesburg Baptist Church and vice-president of the Baptist Student Union Conference; and

WHEREAS, this body recognizes that Miss Rice will represent this state well at the Miss America contest; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily commend Miss Rice upon her selection as Miss Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Miss Rice.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 110, on the Clerk's desk for one legislative day.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 208. To make an additional appropriation to the Legislative Reference Service for the current fiscal year.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report to the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 79. Honoring Colonel Samuel P. McClurkin.

Also:

H. J. R. 83. Mourning the death of Elmer N. Wright.

Also:

H. J. R. 84. Congratulating the Ashville Bulldogs for winning the third straight 2A State Track Championship in Selma.

Also:

H. J. R. 85. Mourning the death of Mrs. Virginia Luker.

Also:

H. J. R. 86. Honoring the Emma Sansom High School "Rebel Marching Band" of Gadsden, Alabama for winning first place for an unprecedented fifth time in the 1973 "Greatest Bands in Dixie" contest at Mardi Gras in New Orleans.

Also:

H. J. R. 87. Mourning the death of Mrs. Gertrude Goodwin.

Also:

H. J. R. 88. Thanking the Mobile Area Chamber of Commerce for its hospitality to the Legislature.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING

And the bill:

H. 696. To provide that the clerk of the court collecting solicitor's or district attorney's fees in the eleventh judicial circuit shall place such fees into a Judges' and District Attorney's Fund, and to authorize certain expenditures from such fund.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross			

REGULAR SESSION
12th Day

1013

And the bill:

H. 752. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross			

—101

And the bill:

H. 861. To declare the public policy of the State with respect to violation of Section 420, Title 14, Code of Alabama 1940, as last amended, in counties in Alabama having a population of not less than 34,100 nor more than 34,900 inhabitants according to the last or any subsequent federal decennial census; to determine and declare that prosecution and the impositions of criminal penalties is inadequate to prevent violations and that the remedy at law to enforce the same is inadequate in such counties; to declare that habitual violations of the statute constitutes a legal nuisance in such counties; to provide certain exemptions; to prevent unfair competition among merchants and shopkeepers by reason of violations of said statute as amended in such counties; to provide for means and procedure and to prescribe evidentiary presumptions for the enforcement thereof by injunction and to confer juris-

diction for enforcement upon courts having equity jurisdiction in such counties; to render the provisions of this Act severable; to declare the date on which the Act shall become effective.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Namore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross			

—101

And the bill:

H. 870. To further amend Section 1 of Act No. 63, H. 651, Regular Session 1969 (Acts 1969, p. 354), as amended, so as to further provide for the compensation of county superintendents of education in certain counties classified on a population basis.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Boles	Cauthen	Culver
Adams	Boutwell	Chesnut	Dill
Adwell	Bowers	Collins	Doss
Agee	Brassell	Connell	Downing
Bank	Burgess	Coshatt	Drake
Barkett	Callahan	Cottingham	Easters
Barron	Carnes	Crawford	Edwards
Bassett	Carter	Cross	Ellis
Benton	Casey	Crowe	Erdreich

REGULAR SESSION
12th Day

1015

Falkenburg	Kinsey	Nettles	Stokes
Fite	Lang	O'Daniel	Stubbs
Flippo	Lutz	Parker	Taylor
Gafford	McBride	Perloff	Therrell
Goodwin	McCluskey	Porter	Timmons
Grainger	McCorquodale	Pruitt	Turner
Grey (D)	McDonald	Reid (R)	Turnham
Hale	McMillan	Reynolds	Waggoner
Hardin	McNair	Roberts	Waldrop
Harris	Manley	Robertson	Wallace
Headley	Mathews	St. John	Warren
Hearn	May	Slate	Weeks
Hill	Meeks	Smith (K)	Williams
Hobbie	Merrill	Smith (P)	Wise
Hughes	Mims	Snell	Wood
Jones (F)	Naramore	Stewart	Wynot
King			

—101

And the bill:

H. 871. To provide for the compensation of jurors in Lawrence County.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	
Cross			

—101

And the bill:

H. 882. To amend further Code of Alabama Title 7, Section 724, which relates to subscriptions for and filing of weekly newspapers by certain county officers, so as to exempt the clerk of the circuit court from the provi-

sions of this section in counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross			

—101

And the bill:

H. 883. Relating to the office of the sheriff in all counties having a population of not less than 53,000 nor more than 55,000 inhabitants, according to the most recent federal decennial census; to provide for the number of jailers and an increase in the salary of the jailers and to further provide for an increase in the number of clerks in the sheriff's office and their salary.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Collins	Downing
Adams	Bowers	Connell	Drake
Adwell	Brassell	Coshatt	Easters
Agee	Burgess	Cottingham	Edwards
Bank	Callahan	Crawford	Ellis
Barkett	Carnes	Cross	Erdreich
Barron	Carter	Crowe	Falkenburg
Bassett	Casey	Culver	Fite
Benton	Cauthen	Dill	Flippo
Boles	Chesnut	Doss	Gafford

REGULAR SESSION
12th Day

1017

Goodwin	McBride	Parker	Stubbs
Grainger	McCluskey	Perloff	Taylor
Grey (D)	McCorquodale	Porter	Therrell
Hale	McDonald	Pruitt	Timmons
Hardin	McMillan	Reid (R)	Turner
Harris	McNair	Reynolds	Turnham
Headley	Manley	Roberts	Waggoner
Hearn	Mathews	Robertson	Waldrop
Hill	May	St. John	Wallace
Hobbie	Meeks	Slate	Warren
Hughes	Merrill	Smith (K)	Weeks
Jones (F)	Mims	Smith (P)	Williams
King	Naramore	Snell	Wise
Kinsey	Nettles	Stewart	Wood
Lang	O'Daniel	Stokes	Wynot
Lutz			

—101

And the bill:

H. 884. To authorize the Marshall County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross			

—101

And the bill:

H. 885. Relating to The Douglas Water and Fire Protection Authority, a corporation; to confer additional authority upon said corporation which was

organized in Marshall County under Act No. 107, S. B. 2, First Special Session 1965, as amended in respect to the establishment, construction, operation, improvement, and financing of gas distribution facilities and services.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross			

—101

And the bill:

H. 869. Relating to counties having populations of not less than 27,000 nor more than 27,900, authorizing an appropriation from county funds for certain purposes.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Bowers	Coshatt	Edwards
Adams	Brassell	Cottingham	Ellis
Adwell	Burgess	Crawford	Erdreich
Agee	Callahan	Cross	Falkenburg
Bank	Carnes	Crowe	Fite
Barkett	Carter	Culver	Flippo
Barron	Casey	Dill	Gafford
Bassett	Cauthen	Doss	Goodwin
Benton	Chesnut	Downing	Grainger
Boles	Collins	Drake	Grey (D)
Boutwell	Connell	Easters	Hale

REGULAR SESSION
12th Day

1019

Hardin	McDonald	Porter	Taylor
Harris	McMillan	Pruitt	Therrell
Headley	McNair	Reid (R)	Timmons
Hearn	Manley	Reynolds	Turner
Hill	Mathews	Roberts	Turnham
Hobbie	May	Robertson	Waggoner
Hughes	Meeks	St. John	Waldrop
Jones (F)	Merrill	Slate	Wallace
King	Mims	Smith (K)	Warren
Kinsey	Naramore	Smith (P)	Weeks
Lang	Nettles	Snell	Williams
Lutz	O'Daniel	Stewart	Wise
McBride	Parker	Stokes	Wood
McCluskey	Perloff	Stubbs	Wynot
McCorquodale			

—101

And the bill:

H. 872. Relating to Lawrence County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross			

—101

And the bill:

H. 929. Relating to counties having a population of not less than 52,500 nor more than 53,000 inhabitants according to the most recent federal decennial census, so as to further provide for the compensation of the superintendent of education of such counties.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross			

—101

And the bill:

H. 930. To amend Section 1 of Act No. 1054, H. 1505, 1971 Regular Session (Acts 1971, p. 1902), which provides for an additional expense allowance of \$30.00 per month for each member of the county school board of counties having a population of not less than 34,100 nor more than 34,900; and to make the provisions of this amendatory act retroactive to September 7, 1971.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Bowers	Coshatt	Edwards
Adams	Brassell	Cottingham	Ellis
Adwell	Burgess	Crawford	Erdreich
Agee	Callahan	Cross	Falkenburg
Bank	Carnes	Crowe	Fite
Barkett	Carter	Culver	Flippo
Barron	Casey	Dill	Gafford
Bassett	Cauthen	Doss	Goodwin
Benton	Chesnut	Downing	Grainger
Boles	Collins	Drake	Grey (D)
Boutwell	Connell	Easters	Hale

REGULAR SESSION
12th Day

1021

Hardin	McDonald	Porter	Taylor
Harris	McMillan	Pruitt	Therrell
Headley	McNair	Reid (R)	Timmons
Hearn	Manley	Reynolds	Turner
Hill	Mathews	Roberts	Turnham
Hobbie	May	Robertson	Waggoner
Hughes	Meeks	St. John	Waldrop
Jones (F)	Merrill	Slate	Wallace
King	Mims	Smith (K)	Warren
Kinsey	Naramore	Smith (P)	Weeks
Lang	Nettles	Snell	Williams
Lutz	O'Daniel	Stewart	Wise
McBride	Parker	Stokes	Wood
McCluskey	Perloff	Stubbs	Wynot
McCorquodale			

—101

And the bill:

H. 931. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census, providing for the creation of a single county purchasing agent who shall be appointed by the probate judge or the chairman of the county governing body, as the case may be, of each such counties, and who shall be solely responsible for all county purchases.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross			

—101

And the bill:

H. 959. Relating to St. Clair County; to authorize the County Governing body to provide books, stationery, postage and other conveniences and

supplies to the County Coroner; to make the provisions of this Act retroactive to September 8, 1961.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross			

—101

And the bill:

H. 933. To amend Act No. 2141, Alabama Law, Regular Session, 1971, "To provide for and prescribe the form of government of all cities having populations of not less than 35,000 nor more than 37,000."

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Falkenburg
Adams	Burgess	Cross	Fite
Adwell	Callahan	Crowe	Flippo
Agee	Carnes	Culver	Gafford
Bank	Carter	Dill	Goodwin
Barkett	Casey	Doss	Grainger
Barron	Cauthen	Downing	Grey (D)
Bassett	Chesnut	Drake	Hale
Benton	Collins	Easters	Hardin
Boles	Connell	Edwards	Harris
Boutwell	Coshatt	Ellis	Headley
Bowers	Cottingham	Erdreich	Hearn

REGULAR SESSION
12th Day

1023

Hill	Manley	Reid (R)	Therrell
Hobbie	Mathews	Reynolds	Timmons
Hughes	May	Roberts	Turner
Jones (F)	Meeks	Robertson	Turnham
King	Merrill	St. John	Waggoner
Kinsey	Mims	Slate	Waldrop
Lang	Naramore	Smith (K)	Wallace
Lutz	Nettles	Smith (P)	Warren
McBride	O'Daniel	Snell	Weeks
McCluskey	Parker	Stewart	Williams
McCorquodale	Perloff	Stokes	Wise
McDonald	Porter	Stubbs	Wood
McMillan	Pruitt	Taylor	Wynot
McNair			

—101

And the bill:

H. 934. To authorize the City of Dothan to appropriate funds for the relief of Floyd Clayton, subject to certain conditions.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross			

—101

And the bill:

H. 935. To subdivide Precinct Number Three of Houston County into four Election Districts; to identify the territorial limits of each District; to require all persons in said Precinct to vote in the District in which he or she may reside; and to repeal all laws and parts of laws in conflict with the provisions of the Act.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross			

—101

And the bill:

H. 936. To subdivide the City of Dothan into wards for the purpose of conducting municipal elections; to identify the territorial limits of each ward; to require all qualified electors residing in the City and voting in a municipal election to cast their ballot in the ward in which such elector resides; and to repeal all laws or parts of laws in conflict with the provisions of the Act.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Falkenburg
Adams	Burgess	Cross	Fite
Adwell	Callahan	Crowe	Flippo
Agee	Carnes	Culver	Gafford
Bank	Carter	Dill	Goodwin
Barkett	Casey	Doss	Grainger
Barron	Cauthen	Downing	Grey (D)
Bassett	Chesnut	Drake	Hale
Benton	Collins	Easters	Hardin
Boles	Connell	Edwards	Harris
Boutwell	Coshatt	Ellis	Headley
Bowers	Cottingham	Erdreich	Hearn

REGULAR SESSION
12th Day

1025

Hill	Manley	Reid (R)	Therrell
Hobbie	Mathews	Reynolds	Timmons
Hughes	May	Roberts	Turner
Jones (F)	Meeks	Robertson	Turnham
King	Merrill	St. John	Waggoner
Kinsey	Mims	Slate	Walorop
Lang	Naramore	Smith (K)	Wallace
Lutz	Nettles	Smith (P)	Warren
McBride	O'Daniel	Snell	Weeks
McCluskey	Parker	Stewart	Williams
McCorquodale	Perloff	Stokes	Wise
McDonald	Porter	Stubbs	Wood
McMillan	Pruitt	Taylor	Wynot
McNair			

—101

And the bill:

H. 937. To amend Act No. 2017, Alabama Law (Regular Session, 1971) "To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Walorop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross			

—101

And the bill:

H. 798. Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent fed-

eral decennial census; to provide for an annual expense allowance for the remaining terms of office of certain officials of said counties, and providing for retroactive effect.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross			

—101

And the bill:

H. 919. To further amend Section 1 of Act No. 148, H. 166, Special Session 1969, (Acts 1969, p. 215), which section fixes the compensation of members of the jury commission in all counties having populations of not less than 95,000 nor more than 115,000 inhabitants, according to the most recent federal decennial census; so as to provide for an increase in the compensation paid to the members of said jury commission in said counties.

Was taken up.

Mr. Merrill offered the following amendment to the bill:

Strike the period at the end of the title and add the following: ; and providing retroactive effect therefor. In Section 2, strike the following: "This Act shall become effective September 1, 1973." and insert in lieu thereof, the following: This Act shall be retroactive to April 1, 1973.

And the amendment was adopted.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

REGULAR SESSION
12th Day

1027

Brassell	Erdreich	McCluskey	St. John
Burgess	Falkenburg	McCorquodale	Slate
Callahan	Fite	McDonald	Smith (K)
Carnes	Flippo	McMillan	Smith (P)
Carter	Gafford	McNair	Snell
Casey	Goodwin	Manley	Stewart
Cauthen	Grainger	Mathews	Stokes
Chesnut	Grey (D)	May	Stubbs
Collins	Hale	Meeks	Taylor
Connell	Hardin	Merrill	Therrell
Coshatt	Harris	Mims	Timmons
Cottingham	Headley	Naramore	Turner
Crawford	Hearn	Nettles	Turnham
Cross	Hill	O'Daniel	Waggoner
Crowe	Hobbie	Parker	Waldrop
Culver	Hughes	Perloff	Wallace
Dill	Jones (F)	Porter	Warren
Doss	King	Pruitt	Weeks
Downing	Kinsey	Reid (R)	Williams
Drake	Lang	Reynolds	Wise
Easters	Lutz	Roberts	Wood
Edwards	McBride	Robertson	Wynot
Ellis			

—101

And the bill:

H. 919. To further amend Section 1 of Act No. 148, H. 166, Special Session 1969, (Acts 1969, p. 215), which section fixes the compensation of members of the jury commission in all counties having populations of not less than 95,000 nor more than 115,000 inhabitants, according to the most recent federal decennial census; so as to provide for an increase in the compensation paid to the members of said jury commission in said counties; and providing retroactive effect therefor.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Collins	Goodwin	McMillan
Adams	Connell	Grainger	McNair
Adwell	Coshatt	Grey (D)	Manley
Agee	Cottingham	Hale	Mathews
Bank	Crawford	Hardin	May
Barkett	Cross	Harris	Meeks
Barron	Crowe	Headley	Merrill
Bassett	Culver	Hearn	Mims
Benton	Dill	Hill	Naramore
Boles	Doss	Hobbie	Nettles
Boutwell	Downing	Hughes	O'Daniel
Bowers	Drake	Jones (F)	Parker
Brassell	Easters	King	Perloff
Burgess	Edwards	Kinsey	Porter
Callahan	Ellis	Lang	Pruitt
Carnes	Erdreich	Lutz	Reid (R)
Carter	Falkenburg	McBride	Reynolds
Casey	Fite	McCluskey	Roberts
Cauthen	Flippo	McCorquodale	Robertson
Chesnut	Gafford	McDonald	St. John

Slate	Stubbs	Turnham	Weeks
Smith (K)	Taylor	Waggoner	Williams
Smith (P)	Therrell	Waldrop	Wise
Snell	Timmons	Wallace	Wood
Stewart	Turner	Warren	Wynot
Stokes			

—101

And the bill:

H. 920. To further amend Act No. 420, S. 387 of the Regular Session of 1939 (Local Acts, 1939, p. 252), which creates and establishes the County Commission of Calhoun County, amending Section 3 of said Act in order to redivide the county into districts for the purpose of electing the county governing body.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross			

—101

And the bill:

H. 797. Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census; to provide for an annual expense allowance for the sheriff of such counties, and providing for retroactive effect.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
12th Day

1029

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Downing	Lutz	Slate
Barkett	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	McNair	Stubbs
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Burgess	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (D)	Mims	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Headley	Parker	Weeks
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross			

—101

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. McCorquodale, the rules were suspended in order to bring up out of order the bill, H. 331.

Yeas 81; Nays 11.

Yeas:

Mr. Speaker	Easters	McCluskey	Robertson
Adams	Edwards	McCorquodale	St. John
Agee	Ellis	McDonald	Slate
Bank	Erdreich	McMillan	Smith (K)
Barkett	Falkenburg	Mathews	Smith (P)
Barron	Fite	May	Snell
Bassett	Flippo	Meeks	Stewart
Benton	Gafford	Merrill	Stokes
Boutwell	Goodwin	Mims	Stubbs
Brassell	Grainger	Naramore	Therrell
Carter	Gray (F)	Nettles	Timmons
Cauthen	Gray (D)	O'Daniel	Turner
Connell	Hale	Owens	Turnham
Cottingham	Hardin	Parker	Waggoner
Crawford	Harris	Porter	Wallace
Cross	Headley	Pruitt	Warren
Crowe	Hearn	Reed (T)	Williams
Culver	Hobbie	Reid (R)	Wise
Dill	Hughes	Reynolds	Wood
Downing	Kinsey	Roberts	Wynot
Drake			

—81

Nays:

Messrs.:	Chesnut	King	McNair
Boles	Hill	Lutz	Taylor
Carnes	Hughes	McBride	Waldrop

—11

And the bill:

H. 331. (With Substitute): To make appropriations for Mental Health purposes and for the payment of principal and interest on Mental Health Bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make appropriations for Mental Health purposes and for the payment of principal and interest on Mental Health Bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI.

Be It Enacted by the Legislature of Alabama:

Section 1. The following appropriations are hereby made for Mental Health purposes and for the payment of principal and interest on Mental Health Bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI.

(1) BOARD OF TRUSTEES OF
AUBURN UNIVERSITY:

To the Psychology Department, for
the training of psychologist:

For the fiscal year ending September 30, 1974	100,000.00
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For the fiscal year ending September 30, 1975	100,000.00
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(2) BOARD OF TRUSTEES OF
UNIVERSITY OF ALABAMA:

(a) For the University of Alabama in Birmingham, for salaries, stipends and scholarships in Psychiatry; for the training of professional Mental Health personnel and psychiatric nurses, and state indigent mental patients:

For the fiscal year ending September 30, 1974	1,900,000.00
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REGULAR SESSION
12th Day

1031

For the fiscal year ending September 30, 1975	2,000,000.00
(b) For the University of Alabama: To the Psychological Clinic for the training of psychologist:	
For the fiscal year ending September 30, 1974	100,000.00
For the fiscal year ending September 30, 1975	100,000.00
For the Center for Emotionally Disturbed Children	275,000.00
(c) To the State Mental Health Department:	
For operation and maintenance of the State Mental Health Department including the purchase of drugs to medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama State Hospitals.	
For the fiscal year ending September 30, 1974	34,077,488.00
For the fiscal year ending September 30, 1975	33,966,919.00
For operation and maintenance of Community Mental Health Programs:	
For the fiscal year ending September 30, 1974	4,000,000.00
For the fiscal year ending September 30, 1975	5,000,000.00
(d) For the payment of principal and interest due on bonds issued by the University of Alabama pursuant to Constitutional Amendment CLXI:	
For the fiscal year ending September 30, 1974	200,012.00
For the fiscal year ending September 30, 1975	200,581.00
(The appropriations herein- above made shall be paid from the funds deposited in the State Treasury to the credit of the Special Mental Health Fund.)	

Section 2. STATE DEPARTMENT OF MENTAL HEALTH:

For transfer to the State Personnel
Department,

For the fiscal year ending Septem-
ber 30, 1974 ----- 90,000.00

For the fiscal year ending Septem-
ber 30, 1975 ----- 90,000.00

For the support, maintenance and
capital expenditures the several
sums appropriated in item (c) of
Section 1 (2) of this Act and the
amounts provided in Act No. 654,
1965 Regular Session and Act No.
275, 1967 Regular Session and the
General Appropriation Bill are
hereby appropriated. Expendi-
tures to be made at the direction
of the Alabama Mental Health
Board.

Section 3. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities or counties, to this department, are hereby appropriated and in the event the same are recurring, are reappropriated to this department, to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 4. This Act shall become effective October 1, 1973.

And the substitute was adopted.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Reed (T)
Adams	Dill	Jackson	Reid (R)
Adwell	Doss	King	Reynolds
Agee	Downing	Kinsey	Roberts
Bank	Drake	Lutz	St. John
Barkett	Easters	McBride	Slate
Barron	Edwards	McCluskey	Smith (K)
Bassett	Ellis	McCorquodale	Smith (P)
Benton	Erdreich	McDonald	Snell
Boles	Falkenburg	McMillan	Stewart
Boutwell	Fite	McNair	Stokes
Brassell	Flippo	Manley	Stubbs
Burgess	Gafford	Mathews	Taylor
Carnes	Goodwin	May	Timmons
Carter	Grainger	Meeks	Turner
Casey	Gray (F)	Merrill	Turnham
Cauthen	Grey (D)	Mims	Waggoner
Chesnut	Hale	Naramore	Waldrop
Connell	Hardin	Nettles	Wallace
Coshatt	Harris	Owens	Warren
Cottingham	Headley	Parker	Williams
Crawford	Hearn	Perloff	Wood
Cross	Hill	Porter	Wynot
Crowe	Hobbie	Pruitt	

REGULAR SESSION
12th Day

1033

And the bill, H. 331, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Doss	King	Reid (R)
Adams	Downing	Kinsey	Reynolds
Adwell	Drake	Lang	Roberts
Agee	Easters	Lutz	Robertson
Bank	Edwards	McBride	St. John
Barkett	Ellis	McCluskey	Slate
Barron	Erdreich	McCorquodale	Smith (K)
Bassett	Falkenburg	McDonald	Smith (P)
Benton	Fite	McMillan	Snell
Boutwell	Flippo	McNair	Stewart
Brassell	Gafford	Manley	Stokes
Burgess	Goodwin	Mathews	Stubbs
Carnes	Grainger	May	Taylor
Carter	Gray (F)	Meeks	Timmons
Casey	Gray (D)	Merrill	Turner
Cauthen	Hale	Mims	Turnham
Chesnut	Hardin	Naramore	Waggoner
Connell	Harris	Nettles	Waldrop
Coshatt	Headley	O'Daniel	Wallace
Cottingham	Hearn	Owens	Warren
Crawford	Hill	Parker	Williams
Cross	Hobbie	Perloff	Wise
Crowe	Hughes	Porter	Wood
Culver	Jackson	Pruitt	Wynot
Dill	Jones (F)	Reed (T)	

—99

BILLS ON THIRD READING RESUMED

And the bill:

H. 390. (With Substitute) (With Amendment): To amend Title 13, Section 350; to raise the age of "juvenile to 18".

Was taken up.

MOTION TO RECOMMIT

Mr. St. John offered the motion that the bill, H. 390 with pending substitute and amendment, be recommitted to the Standing Committee on Judiciary.

MOTION TO TABLE LOST

The motion of Mr. St. John to table the substitute motion offered by Mr. Lutz that the bill, H. 390 with pending substitute and amendment, be postponed to the thirteenth legislative day, was lost.

Yeas 38; Nays 46.

Yeas:

Mr. Speaker	Burgess	Collins	Crowe
Adams	Callahan	Connell	Downing
Bassett	Carter	Crawford	Drake
Bowers	Chesnut	Cross	Fite

Goodwin	Manley	Porter	Stubbs
Hardin	Mathews	Pruitt	Wallace
Headley	May	Reid (R)	Weeks
Kinsey	Naramore	St. John	Williams
McCluskey	Owens	Stokes	Wood
McNair	Perloff		

—38

Nays:

Messrs.:	Edwards	Hobbie	Parker
Agee	Ellis	Hughes	Reed (T)
Barron	Erdreich	Jones (F)	Slate
Benton	Falkenburg	King	Smith (P)
Boles	Flippo	Lutz	Snell
Boutwell	Gafford	McBride	Stewart
Carnes	Grainger	McCorquodale	Taylor
Casey	Gray (F)	McDonald	Therrell
Cauthen	Hale	McMillan	Turner
Cottingham	Harris	Meeks	Waggoner
Dill	Hearn	Merrill	Wynot
Doss	Hill	Nettles	

—46

H. 390 POSTPONED

The question was then on the substitute motion offered by Mr. Lutz that the bill, H. 390 with pending amendment and substitute, be postponed to the thirteenth legislative day, and the substitute motion was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 110. Relating to crimes and offenses; amending further Section 420, Title 14, Code of Alabama 1940, which prohibits certain acts on Sunday.

Was taken up.

H. 110 POSTPONED

On motion of Mr. Gafford, the bill, H. 110, was postponed to the thirteenth legislative day.

And the bill:

H. 200. To regulate further nonprofit corporations for establishment of plans for hospital and medical services; to amend further Sections 304, 305, 306, 307, 308, 309, 310, 311 and 313 of Title 28 of the Code of Alabama of 1940, as amended, relating to such nonprofit corporations; and to provide for the continuation of the existence of such corporations organized prior to and existing on the effective date of this Act.

As previously amended on the eleventh legislative day, was taken up.

Mr. Casey offered the following amendment to the bill:

Amend the short title by striking the said title and substituting in lieu thereof the following:

To regulate further nonprofit corporations established for the purpose of maintaining and operating health care service plans; to amend further sec-

12th Day

tions 304, 305, 306, 307 and progressively to 311 and 313 of Title 28, Code of Alabama of 1940, as amended, relating to such nonprofit corporations; and to provide for the continuation of the existence of said corporations organized prior to and existing on the effective date of this Act.

And the amendment was adopted.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Pruitt
Adams	Dill	King	Reid (R)
Agee	Doss	Kinsey	Reynolds
Barkett	Downing	Lutz	Roberts
Barron	Drake	McBride	Robertson
Bassett	Easters	McCluskey	St. John
Benton	Edwards	McCorquodale	Slate
Boles	Ellis	McDonald	Smith (P)
Boutwell	Erdreich	McMillan	Snell
Bowers	Falkenburg	McNair	Stewart
Brassell	Fite	Manley	Stokes
Burgess	Flippo	Mathews	Stubbs
Callahan	Gafford	May	Taylor
Carnes	Goodwin	Meeks	Timmons
Carter	Grainger	Merrill	Turner
Casey	Gray (F)	Mims	Turnham
Cauthen	Grey (D)	Naramore	Waggoner
Chesnut	Hale	Nettles	Waldrop
Collins	Hardin	O'Daniel	Wallace
Connell	Headley	Owens	Weeks
Coshatt	Hearn	Parker	Williams
Cottingham	Hill	Perloff	Wood
Crawford	Hobbie	Porter	Wynot
Cross	Hughes		

—94

And the bill:

H. 200. To regulate further nonprofit corporations established for the purpose of maintaining and operating health care service plans; to amend further sections 304, 305, 306, 307 and progressively to 311 and 313 of Title 28, Code of Alabama of 1940, as amended, relating to such nonprofit corporations; and to provide for the continuation of the existence of said corporations organized prior to and existing on the effective date of this Act.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Bowers	Connell	Easters
Adams	Brassell	Coshatt	Edwards
Agee	Burgess	Cottingham	Ellis
Bank	Callahan	Crawford	Erdreich
Barkett	Carnes	Cross	Falkenburg
Barron	Carter	Crowe	Fite
Bassett	Casey	Dill	Gafford
Benton	Cauthen	Doss	Goodwin
Boles	Chesnut	Downing	Grainger
Boutwell	Collins	Drake	Gray (F)

Grey (D)	McCluskey	Owens	Stokes
Hale	McCorquodale	Parker	Stubbs
Hardin	McDonald	Perloff	Taylor
Harris	McMillan	Porter	Timmons
Headley	McNair	Pruitt	Turner
Hearn	Manley	Reid (R)	Turnham
Hill	Mathews	Reynolds	Waggoner
Hobbie	May	Roberts	Waldrop
Hughes	Meeks	Robertson	Wallace
Jones (F)	Merrill	St. John	Weeks
King	Mims	Slate	Williams
Kinsey	Naramore	Smith (P)	Wood
Lutz	Nettles	Snell	Wynot
McBride	O'Daniel	Stewart	

—95

MOTION TO SUSPEND RULES LOST

The motion of Mr. Owens to suspend the rules in order to bring up out of order the bill H. 203, was lost.

BILLS ON THIRD READING RESUMED

And the bill:

H. 633. (With Amendment): Relating to the profession and practice of optometry; defining the profession and practice of optometry; providing for the regulation of optometrists; creating the State Board of Optometry, and prescribing its powers, duties and authority; authorizing the State Board of Optometry to suspend and revoke licenses, providing the manner of appealing from the decisions of the Board to the courts of this state; and providing for the enforcement of the act and prescribing penalties for violations thereof.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Public Welfare, said Committee amendment being as follows:

On page 1 strike out Section 2(A) in its entirety and insert as Section 2(A) the following:

"Section 2(A). The practice of optometry is defined to be any of the following: (1) the employment of objective and subjective methods, either one or both, for the purpose of ascertaining refractive defects of vision or muscular anomalies or other abnormal conditions of the eye, without the use of drugs, (2) the prescribing and employment of lenses, contact lenses, prisms, frames, mountings, prosthetic ophthalmic materials, to remedy or relieve the defects of vision or muscular anomalies, (3) administering orthoptic training, the adjusting, fitting or adapting of lenses or prisms or eye glasses respectively to remedy or relieve defects of vision or muscular anomalies, (4) the supply, replacement or duplication of optometric lenses, frames or mountings; provided that nothing in the act shall be construed as applying to physicians or osteopaths, or orthopticians, ophthalmic assistants, opticians, or any person who works under the direct supervision of a licensed physician or osteopath and provided further, that nothing in this act shall be construed as authorizing any optometrist to practice or claim to practice medicine or surgery, or to use any title or appellation intended or calculated to indicate the practice of medicine or surgery."

REGULAR SESSION
12th Day

1037

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment was tabled.

Yeas 53; Nays 38.

Yeas:

Messrs.:	Coshatt	McCorquodale	St. John
Adams	Cottingham	McDonald	Slate
Agee	Cross	Mathews	Smith (K)
Barkett	Doss	May	Snell
Bassett	Downing	Merrill	Stewart
Bowers	Drake	Mims	Stubbs
Brassell	Easters	O'Daniel	Therrell
Burgess	Edwards	Owens	Turnham
Callahan	Fite	Parker	Waldrop
Carnes	Gray (F)	Porter	Warren
Cauthen	Hale	Pruitt	Williams
Chesnut	Headley	Reed (T)	Wood
Collins	Lutz	Robertson	Wynot
Connell	McBride		

—53

Nays:

Mr. Speaker	Ellis	Jones (F)	Reid (R)
Adwell	Erdreich	King	Reynolds
Barron	Falkenburg	McMillan	Stokes
Benton	Gafford	McNair	Taylor
Boles	Goodwin	Manley	Timmons
Boutwell	Grainger	Meeks	Turner
Crawford	Hardin	Naramore	Waggoner
Crowe	Harris	Nettles	Wallace
Culver	Hobbie	Perloff	Weeks
Dill	Hughes		

—38

Mr. McCorquodale offered the following amendment #1 to the bill:

On page 1 strike out Section 2(A) in its entirety and insert as Section 2(A) the following:

(A) The practice of the profession of optometry is defined to be any of the following: (1) any examination of the human eyes for the purpose of ascertaining the diagnosis and the prognosis of any departure from the normal, the refractive powers thereof, or any pathological, visual, muscular or other conditions as manifested by the eyes; (2) the prescribing and employment of lenses, contact lenses, prisms, frames, mountings, and prosthetic ophthalmic materials; (3) administering visual training, orthoptics, pleoptics and other related means of visual therapy for the correction or relief of any insufficiencies or abnormal conditions of the human eye and their appendages.

And the amendment was adopted.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Bank	Boles	Burgess
Adams	Barkett	Boutwell	Callahan
Adwell	Bassett	Bowers	Carnes
Agee	Benton	Brassell	Carter

Casey	Flippo	McNair	Slate
Cauthen	Goodwin	Manley	Smith (K)
Chesnut	Grainger	Mathews	Smith (P)
Connell	Gray (F)	May	Snell
Coshatt	Hale	Meeks	Stewart
Cottingham	Hardin	Merrill	Stokes
Crawford	Headley	Naramore	Stubbs
Cross	Hearn	Nettles	Therrell
Crowe	Hill	O'Daniel	Timmons
Culver	Hobbie	Parker	Turner
Dill	Hughes	Perloff	Turnham
Doss	Jones (F)	Porter	Waggoner
Downing	King	Pruitt	Waldrop
Drake	Kinsey	Reed (T)	Wallace
Easters	Lutz	Reid (R)	Warren
Edwards	McBride	Reynolds	Weeks
Ellis	McCluskey	Roberts	Williams
Erdreich	McCorquodale	Robertson	Wood
Falkenburg	McDonald	St. John	Wynot
Fite	McMillan		

—94

Mr. McCorquodale offered the following amendment #2 to the bill:

Section 11 of IIB 633 is amended by adding the following:

A license to practice optometry, as provided in this chapter, is not required for the following practices:

(1) The sale of eyeglasses or spectacles in a retail optical dispensary or from a store, shop, or other permanently established place of business now with an optical department on prescription of a duly licensed physician skilled in diseases of the eyes or a duly licensed optometrist authorized to practice under the laws of this state.

And the amendment was adopted.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Connell	Gray (F)	Mathews
Adams	Coshatt	Hale	May
Adwell	Cottingham	Hardin	Meeks
Agee	Crawford	Harris	Merrill
Barkett	Cross	Headley	Mims
Barron	Crowe	Hearn	Naramore
Bassett	Culver	Hill	O'Daniel
Benton	Dill	Hobbie	Owens
Boles	Doss	Hughes	Parker
Boutwell	Downing	Jones (F)	Perloff
Bowers	Drake	King	Porter
Brassell	Easters	Kinsey	Reed (T)
Burgess	Ellis	Lutz	Reynolds
Callahan	Erdreich	McBride	Robertson
Carnes	Falkenburg	McCluskey	St. John
Carter	Fite	McCorquodale	Slate
Casey	Flippo	McDonald	Smith (K)
Cauthen	Gafford	McMillan	Smith (P)
Chesnut	Goodwin	McNair	Snell
Collins	Grainger	Manley	Stewart

Stokes
Stubbs
Taylor
Therrell

Timmons
Turner
Turnham
Waggoner

Waldrop
Wallace
Warren
Weeks

Williams
Wood
Wynot

—95

Mr. Flippo offered the following substitute to the bill, H. 633 as amended:

Relating to the profession and practice of optometry; defining the profession and practice of optometry; providing for the regulation of optometrists; creating the State Board of Optometry, and prescribing its powers, duties and authority; authorizing the State Board of Optometry to suspend and revoke licenses, providing the manner of appealing from the decisions of the Board to the courts of this state; and providing for the enforcement of the act and prescribing penalties for violations thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Objects and Purposes of Act. — The practice of optometry is hereby declared to affect the public health, safety and welfare; and to be subject to regulation and control in the public interest. It is further declared to be a matter of public interest and concern that the practice of optometry as defined in this act be limited to qualified persons admitted to practice optometry in the State of Alabama pursuant to the provisions of this act. This act shall be liberally construed to carry out these objects and purposes.

Section 2. Definitions. — As used in this act.

(A). The practice of optometry is defined to be any of the following: (1) the employment of objective and subjective methods, either one or both, for the purpose of ascertaining refractive defects of vision or muscular anomalies or other abnormal conditions of the eye, without the use of drugs, (2) the prescribing and employment of lenses, contact lenses, prisms, frames, mountings, prosthetic ophthalmic materials, to remedy or relieve the defects of vision or muscular anomalies, (3) administering orthoptic training, the adjusting, fitting or adapting of lenses or prisms or eye glasses respectively to remedy or relieve defects of vision or muscular anomalies, (4) the supply, replacement or duplication of optometric lenses, frames or mountings; provided that nothing in the act shall be construed as applying to physicians or osteopaths, or orthopticians, ophthalmic assistants, opticians, or any person who works under the direct supervision of a licensed physician or osteopath and provided further, that nothing in this act shall be construed as authorizing any optometrist to practice or claim to practice medicine or surgery, or to use any title or application intended or calculated to indicate the practice of medicine or surgery.

(B) "Board" shall mean the State Board of Optometry.

"Section 3. The State Board of Optometry, Appointment, Qualification, Term, Vacancy, Removal from Office. — In order to accomplish the purposes and to provide for the enforcement of this act, there is hereby created the State Board of Optometry. The Board is hereby vested with the authority to carry out the purposes and enforce the provisions of this act. Upon the effective date of this act, the State Board of Optometry as then constituted shall be abolished but the members thereof shall continue to serve as members of the Board created hereby until the members of the Board as provided in this act are appointed and qualified, at which time the terms of office of the holdover members of the State Board of Optometry, shall terminate, pro-

vided, however, that such members shall be eligible for appointment to the State Board of Optometry created by this act, if they are otherwise qualified. The State Board of Optometry shall consist of five (5) persons each of whom shall be a resident of this State, and who shall have been actively engaged in the practice of optometry for at least five years next preceding the date of their appointment. The members of said board shall be appointed by the Governor, and selected from a list of duly qualified licensed optometrists in the State of Alabama. The term of one member of the Board shall expire July 1, 1974, and every fifth year thereafter; the term of one member shall expire July 1, 1975, and every fifth year thereafter; the term of one member shall expire July 1, 1976, and every fifth year thereafter; the term of one member shall expire July 1, 1977, and every fifth year thereafter; and the term of one member shall expire July 1, 1978, and every fifth year thereafter. The Governor may remove any member for neglect of duty, incompetency, improper or unprofessional conduct, or when his license has been revoked or suspended. Appointment to fill a vacancy caused other than by expiration of term shall be for the unexpired portion of that term and shall be made from a list of duly qualified licensed optometrists in the State of Alabama."

Section 4. Officers, Annual and Special Meetings, Quorum, Seal, Oath, Compensation and Expenses. — The Board shall choose annually one of its members as President, one as Vice President, and one as Secretary-Treasurer who severally shall have the power during their terms of office to administer oaths and take affidavits, certifying thereto under their hand and the common seal of the Board. The Board shall meet at least once in each year in the City of Montgomery, or in such place as is designated by the President, and in addition thereto, whenever and wherever the President there of shall call a meeting. A majority of the Board shall at all times constitute a quorum. The Secretary of the Board shall keep a full record of the proceedings of the Board, which records shall at all reasonable times be open to public inspection. Each member of the Board shall be reimbursed for his actual traveling expenses and the actual necessary expense incident to his attendance upon the business of the Board, and in addition thereto the sum of \$25.00 per diem for each day actually spent by such member upon the business of the Board. All such expenses and per diem shall be paid out of the receipts of the Board under the provisions of this act. The Secretary shall receive such compensation as may be fixed by the Board and shall be the custodian of all records and the official seal of the Board. All monies received by the Board shall be deposited to the credit of the Board in a bank selected by its members for the use of the Board and the execution and enforcement of the provisions of this act and the payments of salaries, expenses and other costs herein provided shall be paid by checks drawn by the Treasurer and countersigned by the President of the Board. The President and Treasurer shall give such bonds as the Board from time to time directs. The Board shall make an annual report of its proceedings to the Governor on the first Monday of January of each year.

Section 5. Powers and Duties. — The Board shall exercise, subject to the provisions of this act, the following powers and duties:

(1) Conduct examination at least once each year to ascertain the qualifications and fitness of applicants for licenses to practice optometry.

(2) Prescribe rules and regulations for conducting and administering examination of applicants for licensing as optometrists and to carry out and make effective the provisions of this act.

(3) Institute upon complaint or petition, but not upon its own motion, complaint or petition, hearings which it shall conduct in proceedings to revoke, suspend, deny, issue, reissue, or reinstate licenses granted under the authority of this act.

(4) Grant licenses in conformity with the law to such applicants as have been found qualified.

(5) Formulate rules and regulations by which optometry schools and colleges within or without the State of Alabama shall be approved and determine the reputability and good standing of a school, college or other institution by reference to a compliance with such rules and regulations.

(6) Establish a standard of continuing education which shall be offered to all optometrists within Alabama without discrimination as to membership or non-membership in any association and which shall be deemed a requisite to the renewal of licenses of applicants who are otherwise qualified to practice optometry in the State of Alabama.

(7) Keep a register of optometrists which shall contain the names and addresses of all persons to whom license certificates have been issued in the State of Alabama, together with the date of the issuance of such certificate and the place or places of business in which each optometrist is engaged, and all renewals, revocations and suspensions thereof.

(8) Administer oaths and affirmations of witnesses, issue subpoenas to compel the attendance of witnesses and the production of all necessary papers, books, records, documentary evidence and materials, in any hearing, investigation or other proceeding before the Board.

(9) Employ or appoint clerical personnel and a legal advisor or counsel to assist in carrying out the provisions of this act when there is a need for such services and when funds are available for such purposes.

Section 6. Revocation or Suspension of License. — The Board may refuse to issue the license, license certificate or annual registration certificate provided for in this act or may suspend or revoke the license of any optometrist, now in force or that shall be hereinafter issued, whenever it shall be established to the satisfaction of the Board, after a hearing as herein provided, that any licensed optometrist has been guilty of the following:

(1) Fraud, deceit, dishonesty, or misrepresentation, whether knowingly or unknowingly, in the practice of optometry or in obtaining any license, license certificate, annual registration certificate, or other thing of value; or

(2) Incompetency or unfitness by reasons of negligence; or

(3) Conviction of a felony or a misdemeanor which involves moral turpitude; or

(4) Gross immorality; or

(5) Habitual drunkenness or addiction to the use of morphine, cocaine or other drugs having similar affect; or

(6) Insanity, as adjudged by a court of competent jurisdiction; or

(7) Directly or indirectly employing, hiring, procuring, or inducing a person, not licensed to practice optometry in this state, to so practice, or

(8) Directly or indirectly aiding or abetting in the practice of optometry any person not duly licensed to practice under this act; or

(9) Directly or indirectly employing solicitors, canvassers, or agents for the purpose of obtaining patronage; or

(10) Willfully or repeatedly violating any of the provisions of this act; or

(11) Lending, leasing, renting or in any other manner placing his license or license certificate at the disposal or in the service of any person not licensed to practice optometry in this state, provided however, that nothing in this act shall be construed to prohibit the employment of a duly licensed optometrist by a firm or corporation; or

(12) For failure to comply with the continuing education requirements established by the Board pursuant to the provisions of this act; or

(13) For practicing optometry in any temporary office, apart from a regularly established office, provided, however, that a licensed optometrist may establish a branch office if such branch office be duly equipped with the instruments necessary to make complete optometric examination and provided further that such branch office is in personal and direct charge of the optometrist establishing it or a licensed associate; or

(14) Failure to refer those patients in need of treatment or diagnostic services for any pathological or neurological condition or anomaly beyond the scope of the practice of optometry.

No order of suspension or revocation provided in this section shall be made or entered except after hearing by the Board as provided in this act, and such order shall be subject to judicial review as provided by this act.

Section 7. Revocation of Licenses, Charges, Procedure, Hearing, Appeals, and Bond. — The procedure for revocation or suspension of a license shall be begun by filing with the Secretary of the Board, a written statement under oath of a charge or charges against the accused. The charge or charges may be preferred by any person. The Board, when a charge or charges are preferred, shall hear and determine said charge or charges under rules of procedure to be established by the Board. A time and place (either within the City of Montgomery, Alabama, or the county in which the accused resides) for the hearing of said charge or charges shall be fixed by the Board as soon as convenient, and a copy of said charge or charges, together with a written notice of the time and place when the same will be heard and determined and a copy of the rules of procedure adopted by the Board for such hearing, shall be served at least twenty (20) days before the date fixed for said hearing upon the accused or licensee, by leaving a copy thereof at his last and usual place of residence, by personal service upon the accused or licensee, or by forwarding the same to the accused or licensee via United States Registered Mail with a return receipt requested addressed to him at his last known mailing address, if a resident of the State of Alabama. If the accused or licensee shall not be a resident of Alabama, or shall have departed from the State of Alabama, then notice of the time and place of such hearing shall be published in a newspaper of general circulation in the county where said licensee shall have been last known to reside, one (1) time, three (3) weeks prior to said hearing, setting out the time and place of such hearing. At least five (5) days before the time of the hearing, the accused shall file with the Secretary of the

Board his answer to the written charges theretofore served upon him together with a list of witnesses which the accused desires to be subpoenaed for the hearing. At such hearing, witnesses may be examined respecting said charge or charges. The Board or the accused or both shall have the power to require the attendance of witnesses, the production of books, records, and papers pertinent to the issues, and for that purpose either or both may require the Secretary of the Board to issue a subpoena for any witnesses or a subpoena duces tecum to compel the production of any books, records, papers or documents, directed to the sheriff of the county where such witness resides or is to be found, which shall be served and returned in the same manner as subpoenas in civil cases in the circuit court are served and returned. If any person is subpoenaed to appear before said Board and fails to obey said subpoena without reasonable cause, or if any witness upon any hearing before the Board shall refuse to be sworn or to be examined or to produce a book, record, paper or document, as ordered by the Board, such fact shall be certified by the Board to the circuit court or the judge thereof in the county where such witness resides, and he shall be ordered and directed by such court to appear before said Board and testify or produce such books, papers, records or documents as are ordered by the Board. At said hearing, the accused shall have the right to cross-examine the witnesses against him and to produce witnesses in his defense, and to appear personally and/or by counsel. If a majority of the members of the Board conducting the hearing shall find that said charges, or any of them, are sustained, the Board may thereupon, by majority vote of those members present and voting, thereupon revoke or suspend said license. A quorum of the Board must be present at all times during said hearing and deliberation and action thereon. Where the license of any person has been revoked as herein provided, the Board may, after the expiration of one (1) year, entertain an application for a new license, in like manner as original applications for license are entertained. An appeal may be taken from the action of the Board, to the circuit court of the county in which such licensee resides or where he last resided in the event he has ceased to be a resident of the State of Alabama, upon the licensee filing with the clerk of said court within thirty (30) days from the entering of such order of revocation, a good and sufficient bond in the sum of Two Hundred Dollars (\$200.00), to be approved by said clerk to secure the payment of costs of such appeal, should the appeal be determined against him. It shall thereupon be the duty of such clerk to notify the Board of the filing of such bond and the Board shall thereupon forward to the said clerk the charges, together with a copy of the order of revocation. The clerk shall thereupon docket the same as a cause pending in said court and shall style it The State Board of Optometry vs. (name of licensee). The charges shall be treated as a complaint. The accused may plead the said charges and issues may be formed thereupon as in any civil case, and said case shall be tried de novo by the judge of the circuit court to which said appeal is taken. The accused may, if he desires to do so, demand and have a trial by jury. It shall be the duty of the prosecuting attorney of the circuit in which said county belongs to appear in such cases and represent the Board, but the Board shall have the right to employ attorneys to assist in the prosecution of the charges. The only finding and judgment in such cases shall be "guilty" or "not guilty", the same to be rendered separately as to each of the charges. If the finding and judgment of the court be "not guilty" as to each of said charges, and the same shall be by the clerk of said court certified to said Board, it shall thereupon make an order setting aside its order of revocation. During the pendency of such appeal, the accused shall be entitled to practice by virtue of such license. Appeals from the judgment of said court may be

prosecuted to the Supreme Court as in other civil cases either by said Board in its own name or by the holder of such license where the judgment may be against him.

Section 8. Unlawful Acts and Penalty Therefor. — It shall be unlawful for any person:

(1) To practice optometry in this state without having at the time of so doing a valid, unrevoked and unexpired license certificate and annual renewal registration certificate as an optometrist; or

(2) To use or attempt to use as his own a diploma of an optometric school or college or a license of another person, or a forged diploma or license or any forged or false identification; or

(3) To sell or offer to sell a diploma conferring an optometric degree or a license granted pursuant to this act or prior optometric practice laws, or to procure such diploma or license with intent that it shall be used as evidence of the right to practice optometry by a person other than the one upon whom it was conferred, or to whom such license was granted, or with fraudulent intent to alter such diploma or license or to use or attempt to use it when it is so altered; or

(4) To willfully make any false statements in material regard in an application for an examination for a certificate to practice optometry, or for annual renewal registration.

Any person violating any of the provision of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than \$1,000.00 and in addition thereto, may be imprisoned in the county jail for a period not to exceed 12 months, and shall be subject to having his license revoked or suspended as provided in this act.

The Board and its members and officers shall assist prosecuting officers in the enforcement of this act, and it shall be the duty of the Board, its members and officers, to furnish the proper prosecuting officers with such evidence as it or they may ascertain to assist them in the prosecution of any violation of this act, and the Board is authorized for such purposes to make such reasonable expenditures from the funds of the Board as it may deem necessary to ascertain and furnish such evidence.

Section 9. Record Book of Licensees. — The Secretary of the Board shall keep a registry in which shall be entered the names of all persons to whom license certificates and annual registration certificates have been granted under this act, the numbers of such license certificates and annual registration certificates, the dates of granting the same, and other matters of records, and he shall keep a true and correct copy of the minutes of all board meetings, and the book so provided and kept shall be the official book of records. A photostatic copy of said records, or a copy of said records certified by the Secretary and under the seal of the Board, shall be admitted in any of the courts of this state as prima facie evidence of the facts contained in said records, and in lieu of the original thereof. A certificate under the hand of the Secretary and the seal of the Board that there is not entered in such record books the name and number of and date of granting such license certificate or renewal license certificate to a person charged with a violation of any of the provisions of this act, shall be prima facie evidence of the facts contained therein. Such certificates shall be admitted in any of the courts of this state in

lieu of the records of the Board. The original books, records, and papers of the Board shall be kept at the office of the Secretary of the Board, which office shall be at such place as may be designated by the Board. On January first of each year, or within ten days thereafter, the Secretary of the Board shall publish and mail to every registered optometrist in the state a printed list of the legally registered optometrists within the state, and each published list shall contain at the beginning thereof these words: "Each registered optometrist receiving this list is requested to report to the Secretary of the Board the name and address of any person known to be practicing optometry, whose name does not appear in this registry".

Section 10. Injunctions. — The Board may enjoin violations of any provision of this act by proceeding in accordance with the provisions of Title 7, Section 1063, (1), Code of Alabama, as amended.

Section 11. Limitation on Application of Act. — It is not the intent of this Act to prevent any nurse, school teacher, welfare worker, state, county, municipality or other public board, body, agency, institution or official from ascertaining the probable need of visual services.

Section 12. Exemptions. — The provisions of this act shall not apply to physicians or surgeons, licensed to practice in Alabama, nor to dispensing opticians or retail dealers selling lenses, contact lenses, prisms, frames, mountings and prosthetic ophthalmic materials in their established places of business, nor shall the provisions of this act be construed as prohibiting a retail dealer or dispensing optician from selling and doing all things incident thereto, including advertising for sale a lense, lenses, contact lenses, glasses, or the frames of the fitting thereof.

Section 13. Invalidity of any Portion of Act. — If any part of this act is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, the remaining portion or portions of this act shall be and remain in full force and as valid as if such part had not been incorporated therein.

Section 14. Repeal. — All laws or parts of laws in conflict herewith are hereby repealed.

Section 15. Effective Date. — This act shall become effective on July 1, 1973, or upon its passage and approval by the Governor, or its otherwise becoming a law, whichever occurs last.

MOTION TO TABLE LOST

The motion of Mr. McCorquodale to table the substitute to the bill, H. 633 as amended, offered by Mr. Flippo, was lost.

Yeas 47; Nays 48.

Yeas:

Messrs.:	Burgess	Cottingham	Fite
Adams	Carnes	Cross	Gray (F)
Agee	Casey	Downing	Headley
Barkett	Cauthen	Drake	Hill
Bassett	Chesnut	Easters	McCorquodale
Brassell	Coshatt	Edwards	McDonald

Mathews	Porter	Snell	Turnham
May	Reed (T)	Stewart	Waldrop
Merrill	Robertson	Stubbs	Warren
Mims	St. John	Taylor	Williams
Owens	Slate	Therrell	Wood
Parker	Smith (K)	Turner	Wynot

—47

Nays:

Mr. Speaker	Doss	Hearn	Naramore
Adwell	Ellis	Hobbie	Nettles
Barron	Erdreich	Hughes	Perloff
Benton	Falkenburg	Jones (F)	Pruitt
Boles	Flippo	King	Reid (R)
Boutwell	Gafford	Kinsey	Reynolds
Callahan	Goodwin	Lutz	Roberts
Connell	Grainger	McBride	Stokes
Crawford	Grey (D)	McMillan	Timmons
Crowe	Hale	McNair	Waggoner
Culver	Hardin	Manley	Wallace
Dill	Harris	Meeks	Weeks

—48

SUBSTITUTE LOST

The question was then on the adoption of the substitute offered by Mr. Flippo to the bill, H. 633 as amended, and the substitute was lost.

Yeas 44; Nays 50.

Yeas:

Messrs.:	Erdreich	Jones (F)	Perloff
Adwell	Falkenburg	King	Pruitt
Barron	Flippo	Kinsey	Reid (R)
Benton	Gafford	Lutz	Reynolds
Boles	Goodwin	McBride	Roberts
Boutwell	Grainger	McMillan	Stokes
Callahan	Hale	McNair	Taylor
Carter	Harris	Manley	Timmons
Crowe	Hearn	Meeks	Waggoner
Culver	Hobbie	Naramore	Wallace
Dill	Hughes	Nettles	Weeks
Doss			

—44

Nays:

Mr. Speaker	Coshatt	McCorquodale	Smith (P)
Adams	Cottingham	McDonald	Snell
Agee	Cross	Merrill	Stewart
Bank	Downing	Mims	Stubbs
Barkett	Drake	Owens	Therrell
Bassett	Easters	Parker	Turner
Bowers	Edwards	Porter	Turnham
Brassell	Ellis	Reed (T)	Waldrop
Burgess	Fite	Robertson	Warren
Carnes	Gray (F)	St. John	Williams
Cauthen	Headley	Slate	Wood
Chesnut	Hill	Smith (K)	Wynot
Collins	McCluskey		

—50

RESOLUTION

The following resolution was introduced:

By Mr. Reed (T):

H. J. R. 111. DESIGNATING MACON COUNTY ROAD AS MARTIN LUTHER KING DRIVE.

WHEREAS, Doctor Martin Luther King, Jr. was a respected leader in the civil rights movement of Alabama and the nation; and

WHEREAS, Doctor King was once a resident of Alabama, where he began his long career of seeking improvements for the people of his race and for the poor people of this nation; and

WHEREAS, Doctor King was held in high esteem by many of the people of Macon County; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Macon County Road 51, presently known as Pleasant Springs Drive, which runs between U. S. Highway 80 and Interstate 85 is hereby designated the Martin Luther King Drive.

BE IT FURTHER RESOLVED, That the Highway Department be instructed to erect appropriate markers or signs along said highway to indicate the designation thereof.

The resolution, H. J. R. 111, was read and referred to the Standing Committee on Rules.

H. 633 RESUMED

Mr. Flippo offered the following amendment #1 to the bill, H. 633, as amended:

Delete Section 5, Subsection (6) and substitute in its place:

“(6) Establish a standard of continuing education which shall be offered to all optometrists within Alabama without discrimination as to membership or non-membership in any association and which shall be deemed a requisite to the renewal of licenses of applicants who are otherwise qualified to practice optometry in the State of Alabama.”

And the amendment was adopted.

Yeas 93; Nays 2.

Yeas:

Mr. Speaker	Bowers	Coshatt	Easters
Adams	Brassell	Cottingham	Edwards
Adwell	Burgess	Crawford	Ellis
Agee	Callahan	Cross	Erdreich
Bank	Carnes	Crowe	Falkenburg
Barron	Carter	Culver	Fite
Bassett	Casey	Dill	Flippo
Benton	Chesnut	Doss	Gafford
Boles	Collins	Downing	Goodwin
Boutwell	Connell	Drake	Grainger

12th Day

Gray (F)	McBride	Nettles	Stewart
Hale	McCluskey	Owens	Stokes
Hardin	McCorquodale	Parker	Therrell
Harris	McDonald	Perloff	Timmons
Headley	McMillan	Porter	Turner
Hearn	McNair	Pruitt	Turnham
Hill	Manley	Reed (T)	Waggoner
Hobbie	Mathews	Reid (R)	Waldrop
Hughes	May	Reynolds	Wallace
Jones (E)	Meeks	Roberts	Warren
Jones (F)	Merrill	St. John	Weeks
King	Mims	Smith (P)	Wood
Kinsey	Naramore	Snell	Wynot
Lutz			

—93

Nays: Messrs. Cauthen and Slate.

—2

Mr. Flippo offered the following amendment #2 to the bill, H. 633 as amended:

Delete from Section 6, the following subsections (11), (13), (14), (15), (16), (19), (20), and (22), and insert the following at the end of subsection (12) following the word "state": " , provided however, that nothing in this act shall be construed to prohibit the employment of a duly licensed optometrist by a firm or corporation; or" and renumber said subsection (12) so as to read subsection (11) and renumber the remaining subsections appropriately.

MOTION TO TABLE

Mr. McCorquodale offered the motion to table the amendment #2 offered by Mr. Flippo to the bill, H. 633 as amended.

MOTION TO ADJOURN LOST

The motion of Mr. Therrell that the House adjourn to 10:00 o'clock a.m., Thursday, June 21, 1973, was lost.

MOTION TO TABLE LOST

The question was then on the motion of Mr. McCorquodale to table the amendment #2 offered by Mr. Flippo to the bill, H. 633 as amended, and the motion was lost.

Yeas 47; Nays 47.

Yeas:

Messrs.:	Collins	Lang	Smith (K)
Adams	Coshatt	McCorquodale	Snell
Agee	Cottingham	May	Stewart
Barkett	Cross	Merrill	Stubbs
Bassett	Downing	Mims	Therrell
Brassell	Drake	O'Daniel	Turner
Burgess	Easters	Owens	Turnham
Carnes	Edwards	Parker	Waldrop
Carter	Fite	Porter	Warren
Casey	Gray (F)	Robertson	Williams
Cauthen	Headley	St. John	Wood
Chesnut	Hill	Slate	Wynot

—47

REGULAR SESSION
12th Day

1049

Nays:

Mr. Speaker	Dill	Hearn	Nettles
Adwell	Doss	Hobbie	Perloff
Bank	Ellis	Hughes	Pruitt
Barron	Erdreich	Jones (F)	Reid (R)
Benton	Falkenburg	King	Roberts
Boles	Flippo	Kinsey	Stokes
Boutwell	Gafford	Lutz	Taylor
Callahan	Goodwin	McBride	Timmons
Connell	Grainger	McMillan	waggoner
Crawford	Hale	McNair	Wallace
Crowe	Hardin	Meeks	Weeks
Culver	Harris	Naramore	

—47

AMENDMENT LOST

The question was then on the adoption of the amendment #2 offered by Mr. Flippo to the bill, H. 633 as amended, and the amendment was lost.

Yeas 47; Nays 51.

Yeas:

Mr. Speaker	Doss	Hughes	Perloff
Adwell	Ellis	Jones (F)	Pruitt
Barron	Erdreich	King	Reid (R)
Benton	Falkenburg	Kinsey	Reynolds
Boles	Flippo	Lutz	Roberts
Boutwell	Gafford	McBride	Stokes
Callahan	Goodwin	McMillan	Taylor
Connell	Grainger	McNair	Timmons
Crawford	Hale	Manley	Waggoner
Crowe	Hardin	Meeks	Wallace
Culver	Hearn	Naramore	Weeks
Dill	Hobbie	Nettles	

—47

Nays:

Messrs.:	Collins	McCluskey	Smith (K)
Adams	Coshatt	McCorquodale	Smith (P)
Agee	Cottingham	McDonald	Snell
Barkett	Cross	May	Stewart
Bassett	Downing	Merrill	Stubbs
Bowers	Drake	Mims	Therrell
Brassell	Easters	O'Daniel	Turner
Burgess	Edwards	Owens	Turnham
Carnes	Fite	Parker	Waldrop
Carter	Gray (F)	Porter	Warren
Casey	Headley	Robertson	Williams
Cauthen	Hill	St. John	Wood
Chesnut	Lang	Slate	Wynot

—51

Mr. Roberts offered the following amendment to the bill, H. 633 as amended:

On Page 1 strike out Section 1 in its entirety and insert as Section 1 the following:

“Section 1. *Objects And Purposes of the Act.* The practice of optometry bears a substantial relation to public health and therefore is to be subject

to regulation and control in the public interest. It is further declared to be a matter of public interest and concern that the practice of optometry as defined in this act be limited to qualified persons admitted to the practice of optometry in the State of Alabama pursuant to the provisions of this Act."

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment was tabled.

Yeas 50; Nays 38.

Yeas:

Messrs.:	Collins	McCorquodale	Smith (K)
Adams	Connell	McDonald	Snell
Agee	Coshatt	May	Stewart
Barkett	Cottingham	Merrill	Stubbs
Bassett	Cross	Mims	Therrell
Bowers	Drake	O'Daniel	Turner
Brassell	Easters	Owens	Turnham
Burgess	Fite	Parker	Waldrop
Carnes	Gray (F)	Porter	Warren
Carter	Hale	Reed (T)	Williams
Casey	Hardin	Robertson	Wood
Cauthen	Headley	St. John	Wynot
Chesnut	Hill	Slate	

—50

Nays:

Mr. Speaker	Falkenburg	King	Perloff
Adwell	Flippo	Kinsey	Pruitt
Barron	Gafford	Lang	Reid (R)
Benton	Goodwin	Lutz	Reynolds
Boutwell	Grainger	McMillan	Roberts
Callahan	Harris	McNair	Stokes
Crowe	Hearn	Manley	Taylor
Dill	Hobbie	Naramore	Timmons
Doss	Hughes	Nettles	Wallace
Downing	Jones (F)		

—38

Mr. McMillan offered the following amendment to the bill, H. 633 as amended:

Amend H.B. 633 by inserting a new Section between Sections 11 and 12, which will read as follows:

"Section 11(A). Nothing in this act shall be construed as authorizing any optometrist to administer or prescribe drugs in any form, to practice or claim to practice medicine or surgery."

AMENDMENT TABLED

On motion of Mr. McCorquodale the amendment was tabled.

Yeas 51; Nays 37.

Yeas:

Messrs.:	Barkett	Carnes	Chesnut
Adams	Bassett	Carter	Collins
Agee	Brassell	Casey	Connell
Bank	Burgess	Cauthen	Coshatt

REGULAR SESSION
12th Day

1051

Cottingham	Hearn	Parker	Stubbs
Cross	Hill	Porter	Therrell
Easters	Lang	Reed (T)	Turner
Edwards	McCorquodale	Robertson	Turnham
Fite	McDonald	St. John	Waldrop
Gray (F)	Merrill	Slate	Warren
Hardin	Mims	Smith (K)	Williams
Harris	O'Daniel	Snell	Wood
Headley	Owens	Stewart	Wynot

—51

Nays:

Mr. Speaker	Ellis	King	O'Daniel
Adwell	Erdreich	Kinsey	Porter
Barron	Falkenburg	Lutz	Reid (R)
Benton	Gafford	McBride	Reynolds
Boutwell	Goodwin	McCluskey	Roberts
Callahan	Grainger	McMillan	Stokes
Crowe	Hale	McNair	Taylor
Dill	Hobbie	Naramore	Waggoner
Doss	Hughes	Nettles	Wallace
Downing	Jones (F)		

—37

Mr. Flippo offered the following amendment #3 to the bill, H. 633 as amended:

Amend Section 6 by adding Section 6 (23) to read as follows:

“Nothing in this Act shall prohibit the practice of optometry in a leased department of a commercial establishment.”

MOTION TO TABLE LOST

The motion of Mr. McCorquodale to table the amendment, was lost.

Yeas 42; Nays 48.

Yeas:

Messrs.:	Coshatt	Merrill	Stewart
Adams	Cottingham	Mims	Stubbs
Agee	Drake	O'Daniel	Therrell
Barkett	Easters	Owens	Turner
Bassett	Edwards	Parker	Turnham
Brassell	Fite	Porter	Waldrop
Carnes	Gray (F)	Reed (T)	Warren
Carter	Hardin	St. John	Williams
Cauthen	Headley	Slate	Wood
Chesnutt	Lang	Smith (K)	Wynot
Collins	McCorquodale	Snell	

—42

Nays:

Mr. Speaker	Callahan	Ellis	Hale
Adwell	Cross	Erdreich	Harris
Bank	Crowe	Falkenburg	Hearn
Barron	Culver	Flippo	Hill
Benton	Dill	Gafford	Hobbie
Boles	Doss	Goodwin	Hughes
Boutwell	Downing	Grainger	Jones (F)

12th Day

King	McNair	Pruitt	Taylor
Kinsey	Manley	Reid (R)	Timmons
Lutz	Mathews	Reynolds	Waggoner
McBride	Naramore	Roberts	Wallace
McMillan	Nettles	Stokes	Weeks

—48

AMENDMENT LOST

The question was then on the adoption of the amendment #3 offered by Mr. Flippo to the bill, H. 633 as amended, and the amendment was lost.

Yeas 49; Nays 50.

Yeas:

Mr. Speaker	Downing	Hobbie	Nettles
Adwell	Ellis	Hughes	Perloff
Bank	Erdreich	Jones (F)	Pruitt
Barron	Falkenburg	King	Reid (R)
Benton	Flippo	Kinsey	Reynolds
Boles	Gafford	Lutz	Roberts
Boutwell	Goodwin	McBride	Stokes
Callahan	Grainger	McMillan	Taylor
Connell	Hale	McNair	Timmons
Crowe	Harris	Manley	Waggoner
Culver	Hearn	Mathews	Wallace
Dill	Hill	Naramore	Weeks
Doss			

—49

Nays:

Messrs.:	Collins	McDonald	Smith (P)
Adams	Coshatt	May	Snell
Agee	Cottingham	Merrill	Stewart
Barkett	Cross	Mims	Stubbs
Bassett	Drake	O'Daniel	Therrell
Bowers	Easters	Owens	Turner
Brassell	Edwards	Parker	Turnham
Burgess	Fite	Porter	Waldrop
Carnes	Gray (F)	Reed (T)	Warren
Carter	Hardin	Robertson	Williams
Casey	Headley	St. John	Wood
Cauthen	Lang	Slate	Wynot
Chesnut	McCorquodale	Smith (K)	

—50

Mr. Flippo offered the following amendment #4 to the bill, H. 633 as amended:

Amend Section 6 by adding Section 6 (23) to read as follows:

"Nothing in this Act shall prohibit the practice of optometry in a leased department of a commercial establishment presently under lease by a qualified optometrist."

AMENDMENT ADOPTED

And the amendment was adopted.

REGULAR SESSION
12th Day

1053

Yeas 96; Nays 2.

Yeas:

Mr. Speaker	Dill	King	Reid (R)
Adams	Doss	Kinsey	Reynolds
Adwell	Downing	Lutz	Roberts
Agee	Drake	McBride	Robertson
Bank	Easters	McCluskey	St. John
Barron	Edwards	McCorquodale	Slate
Bassett	Ellis	McDonald	Smith (K)
Benton	Erdreich	McMillan	Smith (P)
Boles	Falkenburg	McNair	Snell
Boutwell	Fite	Manley	Stewart
Bowers	Flippo	Mathews	Stokes
Brassell	Gafford	May	Stubbs
Burgess	Goodwin	Meeks	Taylor
Callahan	Grainger	Merrill	Therrell
Carter	Gray (F)	Mims	Timmons
Casey	Hale	Naramore	Turner
Cauthen	Hardin	Nettles	Turnham
Collins	Harris	O'Daniel	Waggoner
Connell	Headley	Owens	Wallace
Coshatt	Hearn	Parker	Warren
Cottingham	Hill	Perloff	Weeks
Cross	Hobbie	Porter	Williams
Crowe	Hughes	Pruitt	Wood
Culver	Jones (F)	Reed (T)	Wynot

—96

Nays: Messrs. Carnes and Waldrop.

—2

And the bill, H. 633, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 15.

Yeas:

Messrs.:	Culver	Jones (F)	Roberts
Adams	Dill	King	Robertson
Adwell	Downing	Lang	St. John
Agee	Drake	Lutz	Slate
Bank	Easters	McBride	Smith (K)
Barkett	Edwards	McCluskey	Smith (P)
Bassett	Ellis	McCorquodale	Snell
Boles	Erdreich	McDonald	Stewart
Bowers	Fite	Manley	Stubbs
Brassell	Flippo	Mathews	Therrell
Burgess	Goodwin	May	Timmons
Callahan	Grainger	Meeks	Turner
Carnes	Gray (F)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	O'Daniel	Waldrop
Cauthen	Harris	Owens	Wallace
Chesnut	Headley	Parker	Warren
Collins	Hearn	Porter	Weeks
Connell	Hill	Pruitt	Williams
Coshatt	Hobbie	Reed (T)	Wood
Cottingham	Hughes	Reid (R)	Wynot
Cross	Jackson	Reynolds	

—86

Nays:

Messrs.:	Crowe	Kinsey	Nettles
Barron	Doss	McMillan	Perloff
Benton	Falkenburg	McNair	Stokes
Boutwell	Gafford	Naramore	Taylor

—15

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Joint Resolutions and House Bill herein-after mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:25 P.M. on June 19, 1973:

H. 208

H. J. R. 79

H. J. R. 83

H. J. R. 84

H. J. R. 85

H. J. R. 86

H. J. R. 87

H. J. R. 88

JOHN W. PEMBERTON,
Clerk.

MOTION TO ADJOURN

Mr. Brassell moved that the House adjourn until 10:00 o'clock, a.m., Thursday, June 21, 1973.

SUBSTITUTE MOTION ADOPTED

Mr. Weeks offered the substitute motion that the House adjourn until 11:00 o'clock a.m., Thursday, June 21, 1973, and the substitute motion was adopted.

ADJOURNMENT

The question was then on the motion to adjourn as thus substituted, until 11:00 o'clock a.m., Thursday, June 21, 1973, and the motion was adopted.

Yeas 52; Nays 44.

Yeas:

Messrs.:	Barron	Boles	Casey
Agee	Bassett	Brassell	Cauthen
Bank	Benton	Burgess	Cottingham

REGULAR SESSION

1055

13th Day

Culver	Hardin	May	Robertson
Downing	Hearn	Merrill	St. John
Drake	Jackson	Nettles	Smith (K)
Easters	Kinsey	O'Daniel	Snell
Edwards	Lutz	Parker	Stewart
Erdreich	McCorquodale	Perloff	Stokes
Falkenburg	McDonald	Pruitt	Therrell
Fite	McNair	Reid (R)	Turner
Goodwin	Manley	Reynolds	Weeks
Gray (F)	Mathews	Roberts	Wise
Grey (D)			

—52

Nays:

Mr. Speaker	Crawford	Hill	Smith (P)
Adams	Cross	Hobbie	Stubbs
Adwell	Crowe	Hughes	Taylor
Barkett	Dill	Jones (F)	Timmons
Boutwell	Ellis	King	Turnham
Bowers	Flippo	McBride	Waggoner
Callahan	Gafford	McCluskey	Waldrop
Carnes	Grainger	McMillan	Warren
Carter	Hale	Mims	Williams
Collins	Harris	Reed (T)	Wood
Connell	Headley	Slate	Wynot

—44

THIRTEENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, June 21, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Representative Chriss Doss, former Minister, First Baptist Church, Birmingham, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Boles	Cauthen	Culver
Adams	Boutwell	Chesnut	Dill
Adwell	Bowers	Collins	Doss
Agee	Brassell	Connell	Downing
Bank	Burgess	Coshatt	Drake
Barkett	Callahan	Cottingham	Easters
Barron	Carnes	Crawford	Edwards
Bassett	Carter	Cross	Ellis
Benton	Casey	Crowe	Erdreich

Falkenburg	King	Nettles	Stewart
Fite	Kinsey	O'Daniel	Stokes
Flippo	Lang	Owens	Stubbs
Gafford	Lutz	Parker	Taylor
Goodwin	McBride	Perloff	Therrell
Grainger	McCluskey	Porter	Timmons
Gray (F)	McCorquodale	Pruitt	Turner
Grey (D)	McDonald	Reed (T)	Turnham
Hale	McMillan	Reid (R)	Waggoner
Hardin	McNair	Reynolds	Waldrop
Harris	Manley	Roberts	Wallace
Headley	Mathews	Robertson	Warren
Hearn	May	St. John	Weeks
Hill	Meeks	Slate	Williams
Hobbie	Merrill	Smith (K)	Wise
Hughes	Mims	Smith (P)	Wood
Jackson	Naramore	Snell	Wynot
Jones (F)			

—105

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twelfth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the twelfth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twelfth legislative day was approved.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E) due to illness.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 432. To amend Section 1 of Act No. 699, S. 70, Regular Session, 1969 (Acts 1969, p. 1255) which provides for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; and also provides for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests, so as to provide for the immediate reinstatement of a person's driving privilege upon

his being acquitted on the charge of driving a motor vehicle upon the highways of this state while under the influence of intoxicating liquor.

H. 136. To provide for the Uniform Contribution Among Tortfeasors Act; to provide for the enforcement of such Act; and to repeal all conflicting laws.

H. 731. To provide for the keeping of records by junk dealers and scrap metal processors of the purchases of copper wire subject to inspection by sheriffs and state law enforcement officers, and to provide a penalty for the violation thereof.

H. 947. To amend Section 4 of Title 34, Code of Alabama 1940 to provide in certain instances only a man under the age of seventeen (17) and a woman under the age of fourteen (14) years may contract marriage.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 491. (With Amendment): To make it a felony to use any firearm or knife to commit any crime under the laws of this state; to prescribe the punishment therefor; and to provide that such crime and punishment is in addition to the crime committed by the use of any firearm or knife and the punishment prescribed for such crime.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 489. To provide that a creditor is entitled to recover of a debtor a reasonable fee for the services of an attorney or attorneys of the creditor under certain circumstances.

H. 494. To prohibit the unauthorized copying of certain recorded articles which articles are for sale, and the sale of such copies with knowledge that the sounds upon such copy have been transferred thereon without consent of the owner; and to provide penalties therefor.

H. 756. To provide for the creation of a department of the state to be known as the Department of Youth Services; to prescribe the powers and duties of the said department; to provide for the creation of the Alabama Youth Services board; to provide for the selection of the members of the said board; to prescribe the powers and duties of the board; to provide for the transfer of control of residential foster care facilities, and youths; to provide for the appointment of a State Youth Services Director, and to prescribe the powers and duties of the said Director; to provide court review of the decisions of the said board; to provide for reports to the Governor; to provide for the submission of an annual budget; to require competitive bidding; to authorize medical, psychiatric, surgical, and dental care for the youth of the state; to provide for the treatment, education, and disposition of youth in the custody of the said department of the said board; and to prescribe penalties for the violation of this Act.

Mr. Stubbs, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bills

and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 443. To apply in all counties in this state having populations in excess of 150,000 according to the most recent federal decennial census; to require the presentation of a master plumber's certificate of competency as a condition to the issuance of a state or county business license for plumbing.

H. 618. To amend Section 6 of Act No. 1127, General Acts of Alabama, approved September 13, 1969 (Acts of Alabama, 1969, p. 2089 et seq.).

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 999. To regulate the collection, sale, labeling, and use of blood; providing a penalty for the violation of this act.

H. 680. To provide that persons employed in county health departments under provisions of the merit system council for county departments of public health shall be covered under the provisions of the State Merit System; to provide a transfer date; to provide for exceptions; to provide for severability; and to provide an effective date.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 672. (With Amendments): Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts of certain fees; amending the reciprocity requirements; to allow the board to set additional requirements for renewal of licenses; amending the procedures for the issuing of licenses; to provide that all contracts of insurance or policies of insurance or plans or agreements for health services issued or delivered in this state shall cover and include the services performed by podiatrists under this act; amending Section 1, 8, 10, 11, 15 and 17 of Act. No. 741, S. 388, Regular Session of 1967 (Acts 1967, p. 1586).

Mr. Owens, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 274. To provide that any health, hospitalization, surgical, or other medically-related insurance coverage of newborn infants who are included under any such family-type insurance policy issued in this state shall begin immediately from the moment of birth of such infant; and that the coverage and insurability of such infant shall not be disclaimed or otherwise denied by the insurer of such policy.

H. 1025. To establish the capital and surplus required to form a domestic stock life insurance company.

H. 1026. To establish within the Department of Insurance a Receivership Division, to provide for the management thereof and to enumerate the duties, responsibilities and authority to be conferred thereon.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 957. To futher amend Section 1 of Act No. 134, H. 417, Regular Session 1969 (Acts 1969, p. 408), as amended, which act provides expense allowances to be paid from the Gasoline Tax Fund to the members of the governing bodies of certain counties classified on a population basis.

H. 1029. Relating to counties having populations of not less than 95,000, nor more than 115,000, according to the most recent federal decennial census; to provide a monthly expense allowance for the bailiff in the county court of such counties; and providing a retroactive effect therefor.

H. 1030. To amend Section 1 of Act No. 151, H. 169, Special Session 1969 (Acts 1969, p. 218), as amended, which regulates the compensation of and provides for the payment of additional compensation to members of the board of registrars of certain counties classed on a population basis, so as to provide further for the compensation of members of such board; and providing a retroactive effect therefor.

H. 1036. To provide for the transfer of funds from the Public Highway and Traffic Funds to the Gasoline Funds by the governing body of counties having a population of not less than 22,000 and not more than 22,500 according to the most recent federal decennial census.

H. 1042. To repeal Act No. 162, S. 301, 1957 Regular Session (Acts 1957, p. 217) entitled "To prohibit the hunting of wild deer with a rifle or carbine in the County of Colbert, and prescribing the penalty for such offense."

H. 1043. To repeal Act No. 242, H. 684, approved August 13, 1957, Regular Session 1957 (Acts 1957, p. 302) entitled, "An Act Regulating through licensure the occupation of plumbing in Colbert County, Alabama; creating a board of plumbers examination and registration in such county for the purpose of examining and licensing master plumbers and journeyman plumbers; providing for the appointment and term of office of members of such board and prescribing the organization, powers and duties of the board; fixing standards for master and journeyman plumbers and prescribing examination and certification fees and authorizing their collection and disbursement; authorizing the revocation and renewal of such certifications and prescribing the procedures therefor; and providing penalties for violations of this Act."

H. 1044. Relating to all counties with a population of not less than 26,000 nor more than 26,800, according to the most recent federal decennial census, providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations and in certain cases of game, fish and conservation law violations.

H. 1050. Relating to all counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal decennial census; to provide an expense allowance for the members of the county board of registrars.

H. 1051. Relating to counties having a population of not less than 12,700 and not more than 13,100 according to the most recent federal de-

cennial census; to provide for the compensation and certain expenses of the register of the circuit court in any such county, payable from county funds; and providing for certain other duties of such register.

H. 1052. Relating to all counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal decennial census; to provide an expense allowance for members of the county board of equalization.

H. 1088. To alter, redefine and reduce the corporate limits of the City of Rainbow City so as to exclude therefrom any and all territory lying within the boundaries of St. Clair County.

H. 1089. To provide that no municipality whose corporate limits do not lie within or extend into St. Clair County shall have or exercise police jurisdiction or powers in said county.

H. 1090. To amend Section 11 of Act No. 1043, H. 1901, Regular Session 1971, (Acts 1971, p. 1851), providing for a liquor tax in counties of a certain population, so as to provide that all revenue collected under this act shall be deposited in the county General Fund; to make this amendment retroactive.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 997. To amend Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to authorize the county transit authority provided for by said Act to provide charter service within the State of Alabama.

H. 893. To further amend Section 3 of Act No. 695, H. 1072, Regular Session 1951 (Acts 1951, p. 1198), as amended, relating to the registration and purgation of voters in counties having a population of 400,000 or more, so as to authorize the boards of registrars in any such county to meet from time to time in any of the precincts in any such county for the purpose of registering voters.

H. 854. To fix the fee and allowance of the sheriffs of all counties having populations of 500,000 or more according to the most recent federal decennial census, for serving summons on witnesses; and repealing conflicting laws.

H. 820. To amend Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of five (5) Directors for the county transit authority provided for by said Act, to provide for the appointment of one director of such authority by each of the three largest participating municipalities in such county, to provide for the initial terms of office of such Directors, to provide for the termination of the term of office of the directors of any existing authority and the election

of new directors for such authority, and to provide for the dissolution of such authority and the disposition of its property.

H. 819. To amend Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, Page 797 et seq.); to name and define officers of the Birmingham-Jefferson County Civic Center Authority, and authorize the hiring of architects.

H. 818. To validate the attempted incorporation of the inhabitants of any territory lying within a county having a population of 600,000 or more as a municipal corporation, where any portion of said territory, or its perimeter, lies within three miles of an existing city or town, and the Judge of Probate of said county has made an order that the inhabitants of said territory are incorporated as a town or city; provided however, that this act shall not apply to the incorporation of any municipality heretofore held to be invalid by a court of competent jurisdiction.

H. 577. To authorize the Alabama Alcoholic Beverage Control Board in its discretion to grant to any civic center authority to which a liquor license has been issued under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature a revocable temporary permit to sell or dispense in any part of its civic center for consumption therein draft or keg beer or malt beverages; to provide for the automatic termination of permits granted hereunder; and to repeal all laws or parts of laws which conflict with the provisions of this Act.

H. 576. To amend Section 1.07 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

H. 528. To provide for and regulate special elections to fill vacancies which occur on the governing bodies of counties of this State having populations of 500,000 or more according to the most recent federal decennial census.

H. 527. Relating to counties having a population of 500,000 or more inhabitants, according to the most recent federal decennial census; to provide that the poll list actually signed by each voter at any general, special, primary or municipal election held in such counties shall be filed and maintained in the probate office as a public record for one year from the date of said election.

H. 377. Relating to counties of 500,000 or more; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 326. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

H. 325. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

H. 324. To make appropriations for the support and maintenance of the Walker County Junior College located at Jasper, in Walker County.

H. 112. To make appropriations for support and maintenance of the Tuskegee Institute, located in Macon County.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House without recommendation, and it was read a second time and placed on the Calendar, to-wit:

H. 734. (Without Recommendation): To amend further Code of Alabama 1940, Title 45, Section 144 in relation to the allowance for feeding prisoners.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 996. To further amend Title 13, Section 187, Code of Alabama 1940, as amended, which provides for the appointment, compensation and duties of circuit court bailiffs, so as to provide for counties having a population of not less than 175,000 and not more than 300,000, according to the most recent federal decennial census, with three or more circuit judges, to increase the compensation of bailiffs without a law degree and to establish a rate of compensation for bailiffs with law degrees.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 977. (With Amendments): To amend further Code of Alabama 1940, Title 51, Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1034. To regulate further the rental of real property, buildings, office space and other facilities by state departments, bureaus, boards, commissions, agencies and other instrumentalities; to require all such state departments, bureaus, boards, commissions, agencies and other instrumentalities periodically to make a comprehensive study of their needs for real property, buildings, office space or other facilities and improvements to real property, including a study of the feasibility of utilizing only state-owned or other publicly owned real estate, buildings, or other facilities and of renting privately owned real estate, buildings or other facilities adequate for their needs; to require all leases to state departments, bureaus, boards, commissions, agencies and other instrumentalities to be made on competitive bid; and to prescribe penalties.

ADVERSE CALENDAR
BILL REPORTED ADVERSELY

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

H. 526. (Reported Unfavorably): To provide further for the disposition and use of the profits, including all taxes levied upon the selling price of spirituous or vinous liquors and certain taxes on malt and brewed beverages; amending Act No. 255, H. 313 Regular Session of 1943 (General Acts 1943, p. 226) and Act No. 92, H. 101, Second Special Session of 1963 (Acts, Second Special Session 1963, p. 257) and repealing Code of Alabama 1940, Title 29, Sections 10 and 11 and all other laws in conflict herewith.

The above and foregoing bill was read a second time and placed on the Adverse Calendar.

NOTICE IN WRITING

Mr. Culver offered the following Notice in Writing:

Notice is hereby given in accordance with Rule 45 that on the next legislative day a motion will be made to take H. B. 526 from the adverse calendar and have it read a second time and placed on the regular calendar for the next legislative day.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted favorably on the following resolution:

H. J. R. 100. NAMING HIGHWAY 49 FROM I-85 NORTH TO DADEVILLE THE "STILLWATER HIGHWAY"

And the resolution, H. J. R. 100, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the resolution, S. J. R. 55, and ordered same returned to the House with a favorable report, with amendment:

S. J. R. 55. Requesting the Examiners of Public Accounts to examine all State leases.

The question was then on the adoption of the amendment reported by the Standing Committee on Rules, said Committee amendment being as follows:

In the second paragraph, delete the words "sixty days" and insert in lieu thereof the words "thirty days".

And the amendment was adopted.

On motion of Mr. McCorquodale, the resolution, S. J. R. 55 as amended, was concurred in and adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolutions and ordered same returned to the House with a favorable report:

S. J. R. 10. OPPOSING FINANCIAL AID TO NORTH VIETNAM AND HANOI.

Also:

S. J. R. 11. OPPOSING AMNESTY TO DRAFT DODGERS AND DESERTERS OF THE VIETNAM CONFLICT.

Also:

H. J. R. 99. OPPOSING THE PROPOSED INCREASE IN GASOLINE TAX.

Also:

H. J. R. 91. NAMING STATE HIGHWAY 59 IN BALDWIN COUNTY "GULF SHORES PARKWAY".

Also:

S. J. R. 19. RELATIVE TO THE STATEMENTS AND CONDUCT OF RAMSEY CLARK AND JANE FONDA.

Also:

H. J. R. 109. NAMING THAT SECTION OF U. S. HIGHWAY 431 PASSING THROUGH THE CITY OF ALBERTVILLE AS "HOOPER DRIVE."

On motion of Mr. MCorquodale, the resolutions were adopted.

BILLS RE-REFERRED

On motion of Mr. Boles to re-refer, the bills, H. 635 and H. 787, were re-referred from the Standing Committee on Ways and Means to the Standing Committee on Local Legislation No. 2.

RESOLUTIONS

The following resolutions introduced on the twelfth legislative day were read by title, pursuant to Joint Rule 12:

S. J. R. 37. MOURNING THE DEATH OF MRS. ELOISE BENEFIELD.

S. J. R. 40. HONORING DR. B. B. HARDY UPON HIS RETIREMENT AS DEAN OF STILLMAN COLLEGE.

S. J. R. 41. MOURNING THE DEATH OF J. R. WILSON.

S. J. R. 15. CONGRATULATING TUSCALOOSA POLICEMAN WILLIAM A. (BILL) FORMBY UPON BEING HONORED AS ALABAMA'S LAW ENFORCEMENT OFFICER OF THE YEAR.

S. J. R. 33. COMMENDING H. A. EDWARDS, JR., AS PRESIDENT OF THE HOME BUILDERS ASSOCIATION OF ALABAMA FOR 1972.

S. J. R. 34. COMMENDING MARLIN D. MOORE, JR., AS IMMEDIATE PAST PRESIDENT OF THE ALABAMA ASSOCIATION OF REALTORS, INC.

S. J. R. 35. COMMENDING JOHN D. CADE, AS PRESIDENT OF THE ALABAMA SAVINGS AND LOAN LEAGUE, 1971-72.

S. J. R. 36. COMMENDING MADGE POOLE AS OUTGOING PRESIDENT OF THE ALABAMA FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN'S CLUBS.

S. J. R. 45. LAMENTING THE DEATH OF T. E. MARTIN.

H. J. R. 106. THANKING ALABAMA CATTLEMEN'S ASSOCIATION AND THE ALABAMA COWBELLES FOR THE COOKBOOKS GIVEN TO MEMBERS OF THE LEGISLATURE.

H. J. R. 107. COMMENDING RAY FIELDS.

H. J. R. 108. MOURNING THE DEATH OF ROBERT RAYMOND WRIGHT, JR.

H. J. R. 110. CONGRATULATING AND COMMENDING MISS JANE RICE FOR BEING NAMED MISS ALABAMA.

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Lyons:

H. J. R. 112. DECLARING THE INTENT OF THE LEGISLATURE NOT TO REPEAL CODE OF ALABAMA, RECOMPILED 1958, TITLE 32, SECTION 11(1), POCKET SUPPLEMENT.

WHEREAS, House Bill 413 of the current session of the Legislature has been enacted and is now Act No. 48; and

WHEREAS, Section 11 of such Act repeals all laws in conflict therewith, but specifically states that nothing therein shall be construed to repeal certain enumerated sections of Title 32 of the Code of Alabama 1940, as amended and supplemented, including among others, Sections 11 and 11 (a) of said Title; and

WHEREAS, this reference to Section 11 (a) is patently a clerical error and the reference should have been to Section 11 (1) as no Section 11 (a) appeared either in the Code of Alabama 1940 or in the Code of Alabama, Recompiled 1958 or the supplement thereto, however, a section numbered 11 (1) appears in the Supplement to the 1958 Recompiled Code; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby declare that it was

the intent of the Legislature by said Section 11 of Act No. 48 of the current session to save from repeal by such Act the provisions appearing in said Section 11 (1) of the Code of Alabama, Recompiled 1958, Pocket Supplement.

BE IT FURTHER RESOLVED, That the codifiers be requested in their next Pocket Supplement to the Code to indicate the passage of this resolution expressing the legislative intent as an annotation to Section 11 (1) of said Title 32.

The resolution, H. J. R. 112, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Lyons:

H. J. R. 113. COMMENDING HANK AARON FOR HIS BRILLIANT BASEBALL CAREER AND ENCOURAGING HIM TO SET A NEW HOME RUN RECORD.

WHEREAS many native Alabamians have demonstrated their athletic ability in sports arenas across the world; and

WHEREAS Hank Aaron, the brilliant outfielder for the Atlanta Braves and a native of Mobile, Alabama, is well on his way to surpassing Babe Ruth's record of 714 home runs; and

WHEREAS barring any unforeseen circumstances, the question now remains only when Hank Aaron will hit number 715 and be the proud holder of the career home run record; and

WHEREAS countless fans across the nation are anxiously watching to see when Aaron will belt another pitch over the fence in eager anticipation for Number 715; and

WHEREAS Hank Aaron is the holder of 17 National League records and 12 Major League records including the holder of the highest lifetime batting average among active players in the National League and has participated in the Major League All-Star Game for 15 consecutive times; and

WHEREAS Hank Aaron is currently in his 20th year of an outstanding baseball career which is a tribute to his stamina and his past success on the field; and

WHEREAS Hank Aaron is an example on and off the field to countless young fans who are striving to be successful in the game of life; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body does commend Hank Aaron on a brilliant baseball career and does wish him the best of luck toward setting a new home run record.

BE IT FURTHER RESOLVED, That Hank Aaron be extended a hearty invitation to visit a Session of the Alabama Legislature whenever possible.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Hank Aaron and to members of the press.

On motion of Mr. Lyons, the rules were suspended and the resolution, H. J. R. 113, was adopted.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Smith (P):

H. 1131. To amend Sections 16 and 26 of Act No. 1049, S. 8, Legislature of 1969 (Regular Session), approved September 12, 1969 (Acts of 1969, Vol. III, pp. 1939-1965), an Act to provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of carcasses, parts thereof, meat and meat food products of such animals, etc.; amend Section 16 of said Act No. 1049 which relates to exemptions from the provisions of said Act by rules and regulations, and amend Section 26 of said Act No. 1049 which relates to enforcement of said Act by injunctive proceedings.

Agriculture.

By Messrs. Owens and Lyons:

H. 1132. To provide a method by which an insurance company incorporated under the laws of this State may, by resolution of its board of directors, apply any part or all of its capital surplus to the elimination or reduction of any deficit, however incurred.

Insurance.

By Messrs. Carter, Flipppo, Chesnut, Cross, Mims, Warren and Cauthen:

H. 1133. To further amend Section 8 of Title 8 of the Code of Alabama of 1940, as amended, which pertains to the Advisory Board of Conservation and Natural Resources; providing that two additional members be added to the Advisory Board of Conservation; providing that the semi-annual regular meetings of said Board be held at times designated by chairman of Board or the Commissioner of Conservation and Natural Resources; eliminating requirement that meetings of Board be held in offices of the Department of Conservation and Natural Resources; and eliminating the prohibition on more than two special meetings of Board per year.

Conservation.

By Messrs. Carter, Flipppo, Chesnut, Cross, Mims, Warren and Cauthen:

H. 1134. To designate the Spotted Bass as the official fresh water fish of Alabama.

Conservation.

By Messrs. McMillan, Hughes, Waggoner, Boles, Erdreich, Falkenburg, Naramore, McDonald, St. John, Turnham, Wood, Cauthen, McNair, Coshatt, Burgess, Dill, Weeks, Boutwell and Smith (P):

H. 1135. To amend Article 4A, Chapter, 1, Title 17 of the Code of Alabama relating to absent voters in primary, general, special, and municipal elections; defining those voters qualified to cast absentee ballots; providing

the times that the board of registrars shall be open to receive applications for absentee ballots; providing for assistance to absentee voters; providing for the application procedure for absentee voting by personal appearance and by mail; providing for the voting procedures to be used in casting absentee ballots by mail or personal appearance; allowing voting machines to be used in absentee voting by personal appearance; allowing an alternative application procedure for absentee ballots from those outside the United States or in the military service of the United States; establishing the reasons and methods for rejecting applications for absentee ballots by mail; setting requirements of mailing to be followed by registrars; requiring applications and ballots to be delivered to the board of registrars; providing for the appointment of election officers for the absentee ballot box and the delivery of the ballots to them; providing for poll watchers at the absentee box and setting the method of challenging an absentee ballot; requiring lists of absentee voters to be posted daily; requiring a complete list of absentee voters to be filed with the probate judge and secretary of state; requiring the board of registrars to keep copies of the applications, poll lists, and affidavits for five years; requiring the list of absent voters for each polling place to be delivered to the election officials; requiring absent voter's names be stricken from the poll list; providing for the compensation of the registrars; providing that no application for registration received within 20 days of an election may be acted upon until after such election; providing for the persons now on the absentee voting list to be transferred to the proper precinct lists and notified of said transfer; repealing all acts in conflict with this Act, including certain portions of Article 4A; providing for the severability of the sections of this Act; providing for an effective date for this Act.

Constitution and Elections.

By Messrs. McCorquodale and Lyons:

H. 1136. "To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$2,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and in-

terest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority."

Ways and Means.

By Messrs. McCorquodale and Lyons:

H. 1137. To amend Section 1 of Act No. 648, S. 518, Regular Session 1949, Acts 1949, p. 991, as amended.

Ways and Means.

By Messrs. McCorquodale and Lyons:

H. 1138. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$2,000,000 in aggregate principal amount.

Ways and Means.

By Messrs. McCorquodale and Agee (With Notice and Proof):

H. 1139. Relating to Choctaw County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Local Legislation No. 1.

Notice and Proof H. 1139:

LEGAL NOTICE

The following bill will be introduced in the Legislature of the State of Alabama, in substantially the following form, which affects Choctaw County, viz:

A BILL TO BE ENTITLED AN ACT

Relating to Choctaw County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction with Choctaw County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid unto the fine and forfeiture fund of Choctaw County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
CHOCTAW COUNTY

I, C. D. Bozeman, Editor and General Manager of The Choctaw Advocate, a newspaper published at Butler, Choctaw County, Alabama, do hereby certify that a copy of the Attached Legal as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not any supplement thereof, for 4 consecutive weeks commencing with the issue date March 23, 1972, and ending with the issue dated April 13, 1972. I further certify that I have the right and authority to make this affidavit.

C. D. BOZEMAN.

Sworn and subscribed to before me this, the 4th day of May, 1973.

NELL F. EZELL,
Notary Public.

By Messrs. McCorquodale and Agee:

H. 1140. To regulate further the office of circuit solicitor of the First Judicial Circuit of Alabama: Creating special funds for expenditure by the circuit solicitor in law enforcement and in the conduct of his office.

Local Legislation No. 1.

By Messrs. McCorquodale and Agee:

H. 1141. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Probate Judge of such counties.

Local Legislation No. 1.

By Messrs. McCorquodale and Agee:

H. 1142. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Circuit Clerk and County Solicitor and to provide for the payment of the same for said officers of such counties.

Local Legislation No. 1.

By Mr. Cross:

H. 1143. To further amend Act No. 685, S. 364, Regular Session 1965, (Acts 1965, p. 1246), so as to further define the procedure concerning the organization of Water Management Districts.

Agriculture.

By Mr. Grey (D):

H. 1144. Relating to all counties having populations of not less than 16,245 nor more than 16,300 inhabitants, according to the most recent federal decennial census; providing that any person may use on any boat any motor up to six (6) horsepower on any state-owned lake within said counties.

Local Legislation No. 1.

By Messrs. Hughes, Boles, Bowers, Ellis, Erdreich, Gafford, Timmons, Mc-Millan, McBride, Waggoner, McNair and Doss:

H. 1145. To regulate the change of zoning classification by the governing bodies of counties having a population in excess of 600,000 according to the last or any subsequent Federal decennial census and by the governing bodies of municipalities located in such counties; to provide for notice of a proposed change in zoning classification to be given to the owners of property located within 1,000 feet from the property which is the subject of the proposed change; to authorize any property owner receiving notice of a proposed change in zoning classification to protest such proposed change; and, to provide that in the event a protest should be filed with respect to any proposed change in zoning classification by fifty per cent or more of the property owners receiving such notice, such change shall not be effected without the affirmative vote of a minimum of three-fourths of the members of such governing body.

Local Legislation No. 2.

By Messrs. Bowers, Waggoner, McBride, Hughes, Boles, Timmons, Erdreich, Weeks, Jones (F), Stubbs and Carnes:

H. 1146. To regulate the change of zoning classification by the governing bodies of any county or any municipality located within the state; to provide for notice of a proposed change in zoning classification to be given to the owners of property located within 2500 feet from the property which is the subject of the proposed change; to authorize any property owner receiving notice of a proposed change in zoning classification to protest such proposed change; and, to provide that in the event a protest should be filed with respect to any proposed change in zoning classification by fifty percent or more of the property owners receiving such notice, such change shall not be effected without the affirmative vote of minimum of two-thirds of the members of such governing body.

Judiciary.

By Mr. Timmons:

H. 1147. Relating to counties having a population in excess of 600,000 inhabitants; to allow the county governing body to determine the color of county owned vehicles.

Local Legislation No. 2.

By Mr. Timmons:

H. 1148. Providing for the receipt of credit for six years of prior service by Dr. Claude E. McLain, a retiring educator; allowing him to pay into the Education Retirement System sufficient funds to receive such credits; directing the Board of Directors of the Education Retirement System to establish such rules as will accomplish the purpose of this act.

Ways and Means.

By Mr. Casey:

H. 1149. To permit and provide a procedure for the amendment to the certificate of incorporation of any medical clinic board now existing or hereafter incorporated under the provisions of Act No. 516 of the 1955

Regular Session of the Legislature (General Laws of Alabama, 1955, p. 1160 et seq.) approved September 9, 1955, as amended, and to validate amendments heretofore adopted and filed in substantial compliance with the procedures of this Act.

Judiciary.

By Mr. Casey:

H. 1150. To empower and authorize each corporation organized under the Alabama Non Profit Corporation Act (Acts of 1955, p. 1254, approved September 12, 1955) as amended, and each other corporation not of a business character organized under, or created by, any statute of the State of Alabama, to guarantee or stand surety for the obligations of another non profit corporation if the articles of incorporation of such corporation grant such power to it.

Judiciary.

By Messrs. Headley and Owens:

H. 1151. Providing for the licensing of insurance premium finance companies; imposing powers and duties on the Commissioner of Insurance; providing for regulation of such companies in the rates and charges permissible and penalties for violations of this Act.

Insurance.

By Mr. Turnham:

H. 1152. To impose a twenty per cent (20%) tax on all alcoholic beverages purchased from the Alcoholic Beverage Control Board for the purpose of resale outside the police jurisdiction of any incorporated municipality located in any county having a population of not less than 60,000 nor more than 65,000.

Local Legislation No. 1.

By Messrs. Boutwell, Weeks, Erdreich, McNair, Harris, Doss and McMillan:

H. 1153. To amend Title 17 of the Code to allow each voter to be absent from employment in order to vote; to repeal inconsistent acts; to provide for the severability of the provisions of the Act; to provide an effective date for the Act.

Constitution and Elections.

By Mr. Turnham:

H. 1154. To amend further Sections 1, 2 and 3 of Act No. 47, H. 29, Regular Session 1951, (Acts 1951, p. 259) as last amended, which relates to the provision of educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans.

Education.

By Mr. Hale:

H. 1155. To authorize applicants for registration to vote to make application during any regular courthouse office hours; and to authorize the

county governing bodies to provide the necessary funds and personnel to provide such service.

Constitution and Elections.

By Mr. Taylor:

H. 1156. To amend further Act No. 999, H. 288, Regular Session 1969, (Acts 1969, p. 1855), as amended, which Act established a retirement system for peace officers, in order to redefine certain words and terms in said Act.

Ways and Means.

By Mr. Hale:

H. 1157. To amend Title 17 of the Code by adding Article 3D, to establish a permanent system of voter reidentification; requiring each voter to give his correct address when he votes in a general election; requiring each board of registrars to establish a method of recording whether each registered voter has voted in each general election; providing that voters who fail to vote for three consecutive general elections shall be removed from the voter list after proper notice as provided for; providing for the restoration of voters to the voting list; declaring this Act to be a uniform act governing elections; providing for the repeal of certain acts and the continued effectiveness of others; providing for the severability of this Act; and providing for an effective date.

Constitution and Elections.

By Mr. Edwards:

H. 1158. To amend Section 2 of Act No. 737, H. 649, Regular Session 1953 (Acts 1953, p. 1000), pertaining to the deposition of revenues derived from the sale of sand and gravel taken from the public water bottoms and state lands, so as to provide for an increase from five percent (5%) to seven and one-half percent (7½%) in the amount received by the State Lands Division of the Department of Conservation and Natural Resources as cost of administration of said lands.

Ways and Means.

By Mr. Edwards:

H. 1159. To amend Section 9 of Act No. 341, H. 26, Regular Session 1945 (Acts 1945, p. 554), which pertains to the Department of Conservation and Natural Resources' powers and duties with respect to lands owned by the State of Alabama, so as to provide that the maximum amount charged by said Department for administering, managing, protecting or developing state owned land will be raised from five percent (5%) of the gross income derived from said land to seven and one-half percent (7½%).

Ways and Means.

By Messrs. Stubbs, Drake, Robertson, Therrell, Grey (D), Reid (R), Coshatt, Crowe, Burgess, Naramore, Bank, Headley, Culver, Gray (F), Reed (T), Easters and Waldrop:

H. 1160. To provide a State Collective Bargaining Law for employees of the State and any political subdivision thereof and for employees in non-

profit institutions financially aided from public funds; making an appropriation out of the general fund to carry out the provisions of this act.

Commerce and Transportation.

By Mr. Smith (K):

H. 1161. To amend Title 8, Section 91, Code of Alabama 1940, as amended, pertaining to licenses required to capture and kill fur-bearing animals, so as to eliminate the exemption from the license-purchase requirements previously granted anyone trapping beaver only; to reduce the residency period from six months to ninety days; and to provide an exemption where beavers are a nuisance.

Conservation.

By Mr. Smith (K):

H. 1162. To provide a uniform issuance fee for all licenses sold by the Game and Fish Division of the Department of Conservation and Natural Resources; to make it unlawful to charge more than the fee authorized herein; and to provide a penalty.

Ways and Means.

By Mr. Smith (K):

H. 1163. To amend Act No. 1980, Acts of Alabama, 1971 Regular Session, p. 3222, pertaining to annual resident fishing licenses so as to remove the sentence referring to borrowing, lending or altering said licenses.

Conservation.

By Mr. Smith (K):

H. 1164. To amend Act No. 2309, Acts of Alabama, 1971 Regular Session, p. 3731, pertaining to hunting deer from public waters in this state, or at night, so as to provide for the confiscation and forfeiture of all equipment used in committing said offenses.

Conservation.

By Mr. Smith (K):

H. 1165. To amend Act 1515, Acts of Alabama, 1971 Regular Session, p. 2629, pertaining to the issuance of annual resident state and county hunting licenses so as to clarify when a hunting license is not required, and by adding thereto as Section 3 thereof the penalty for hunting without the required license.

Conservation.

By Messrs. Hill and Flipppo:

H. 1166. To provide financial assistance to exceptional children to attend out of state schools when no schools exist in this state to teach such exceptional children; to provide for administration of such assistance by the State Department of Education, and make an appropriation to carry out the provisions of the act.

Ways and Means.

By Messrs. Hill and Flipppo:

H. 1167. To apply only in counties in the state having a population of not less than 65,500 nor more than 75,200 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Local Legislation No. 1.

By Messrs. Flipppo and Hill:

H. 1168. To extend, alter and rearrange the boundaries and corporate limits of the Town of Killen so as to annex certain adjacent territory to the Town of Killen.

Local Legislation No. 1.

By Messrs. Robertson, Wallace, Bank, Parker, Culver, McCorquodale, Williams, Adams, Brassell, Agee, Ellis, Doss and Smith (K):

H. 1169. To create an Alabama Recreation Commission; to provide for the members of the Commission, their appointments, qualifications, and term of office; to provide for the powers and duties of the Commission; to provide for the powers and duties of the Executive Director; to define the terms used in this Act; and to appropriate funds.

Ways and Means.

By Messrs. Therrell, Stokes, Callahan, Perloff and Nettles:

H. 1170. To provide for the compensation of jurors in counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census.

Local Legislation No. 3.

By Messrs. Bank, Robertson, Headley, Therrell, Perloff, Drake, Owens, Taylor, Smith (P), Wood, Culver, Hobbie, Ellis, Parker and Stubbs:

H. 1171. To establish the Alabama Firefighters Personnel Standards and Education Commission; to provide for the appointment, tenure, qualifications, and payment of the members of the Commission; to provide for the employees and officers of the Commission; to regulate the meetings, quorum, and seal of the Commission; to prescribe the duties and functions of the Commission; to grant to the Commission the power to make rules, regulations, and standards, and for the publication of same; to provide penalties for the violation of this Act or the regulations of the Commission; to establish the Alabama Firefighters Personnel Standards and Education Fund and to provide for the Fund to accept grants, gifts, and other payments; to provide for

cooperative agreements between firefighting agencies; to make biennial appropriations for the Fund for fiscal years 1973-74 and 1974-75; to provide for the severability of the parts of the Act; and to provide for the effective date of the Act.

Ways and Means.

By Messrs. Bank, Culver, Parker and Robertson:

H. 1172. To amend Title 22, Section 199 (1), relating to the use of any county or district tuberculosis sanatorium or other facility receiving a state subsidy in respect to the treatment of patients with tuberculosis by the Alabama Mental Health Board.

Health.

By Mr. Adams:

H. 1173. To amend Section 13, Act No. 100, Second Special Session 1959, which relates to the sales tax so as to combine notice of failure to make return and notice of assessment of the tax.

Business and Labor.

By Mr. Adams:

H. 1174. To amend Section 12 of Act 100, Second Special Session 1959, to provide for a minimum penalty to be paid when the tax is not paid within the time required by this Act, and to fix the minimum amount of the penalty in instances of collection by agent, and to provide for assessment and collection of penalty.

Business and Labor.

By Mr. Adams:

H. 1175. To amend Section 793, Title 51, Code of Alabama 1940, to provide for a minimum penalty to be paid when the tax is not paid within the time required by this Title, and to fix the minimum amount of the penalty in instances of collection by mail and in instances of collection by agent, and to provide for assessment and collection of penalty.

Business and Labor.

By Mr. Adams:

H. 1176. To amend Section 4, Act No. 100, Second Special Session 1959, so as to require the Commissioner of Revenue to revoke the license of any person who has failed to pay the sales tax; to require vendors to treat as sales at retail sales to persons who do not have a license required by the Sales Tax Act; and to authorize the Commissioner to refuse to issue the license to persons who have no fixed place of business, who are minors or transients, or who are engaged in essentially a service business, or who have no inventory of goods offered for sale.

Business and Labor.

By Mr. Adams:

H. 1177. To amend Section 797, Title 51, Code of Alabama 1940, relating to assessment and appeal under the use tax law.

Business and Labor.

By Mr. Adams:

H. 1178. To amend Section 789, Title 51, Code of Alabama 1940, as amended, to exempt tangible personal property used, stored or consumed by private school boards, private schools and all private educational institutions.

Business and Labor.

By Mr. Adams:

H. 1179. To amend Section 33, as amended, Act No. 100, Second Special Session 1959, to exempt from the tax levied in Act No. 100 the gross proceeds of sales of tangible personal property to private schools, and to exempt sales of school lunches to school children when sales are made in school buildings and are not for profit.

Business and Labor.

By Mr. Lang (With Notice and Proof):

H. 1180. Relating to Pickens County; authorizing nighttime hunting of raccoons and opossums under certain conditions.

Local Legislation No. 1.

Notice and Proof H. 1180:

STATE OF ALABAMA
COUNTY OF PICKENS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pickens County; authorizing night-time hunting of raccoons and opossums under certain conditions.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of any rule, regulation or order of the commissioner of the Department of Conservation and Natural Resources to the contrary notwithstanding, it shall be lawful to hunt, and to capture or kill raccoons and opossums in Pickens County in the night-time in season with a light and dog, if the hunter has permission from the owner of the land; by the use of a light and a 22 caliber rifle using 22 caliber short cartridges.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
PICKENS COUNTY

Before me, Euteal V. Junkin, a Notary Public in and for said County, personally appeared Daisy Junkin, Publisher of The Pickens County Herald &

West Alabamian, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for 4 consecutive weeks in said paper in issues dated as follows: May 3, 10, 17, and 24, 1973.

DAISY J. JUNKIN.

Subscribed and sworn to before me, this the 18th day of June, 1973.

EUTEAL V. JUNKIN,
Notary Public.

By Mr. Lyons:

H. 1181. To reenact Act No. 88, H. 74 of the Special Session of 1959 (Acts 1959, p. 148), which may have been inadvertently repealed by Act No. 48, H. 413 of the current session, which said Act No. 88 relates to privileges and immunities of members of the Legislature.

Rules.

By Messrs. Turnham, Ellis, Wynot, O'Daniel, Agee, Bank, Drake, St. John, McDonald, Reed (T), Snell, Mims, Adams, Hale and Casey:

H. 1182. To authorize the State Department of Education to establish public kindergarten pilot programs in each of the congressional districts of the state.

Education.

By Mr. Grey (D):

H. 1183. Relating to all counties having populations of not less than 14,000 nor more than 15,000 inhabitants, according to the most recent federal decennial census; amending Section 1 of Act No. 706, H. 989, Regular Session 1967, (Acts 1967, p. 1537), as amended, which section regulates the compensation of the county superintendent of education in said counties, so as to further regulate the compensation of said superintendent of education.

Local Legislation No. 1.

By Messrs. Lang, Fite, Pruitt, McCluskey, Grey (D), Coshatt, Stokes, Agee, Headley and Wise:

H. 1184. To further amend Section 24, Title 11, Code of Alabama 1940, as amended, so as to increase the minimum and permissible maximum amounts of compensation paid to circuit clerks as ex-officio fees and by changing the figure thirty-five million dollars where same appears in the section to thirty million dollars; to delete the last sentence of said section; and to establish an effective date of this act.

Ways and Means.

By Messrs. Lang, Casey, Fite, Pruitt, Williams, McCluskey, Grey (D), Coshatt, Stokes, Agee, Headley and Wise:

H. 1185. To amend Sections 3 and 4 of Act No. 566, S. 117, p. 1046, Volume II, Acts of Alabama, Regular Session of the Legislature 1969, effective 2/1/70, the title of which act is, "To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in the various counties

REGULAR SESSION
13th Day

1079

of the State of Alabama having a population of less than 600,000 population according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries," by increasing the minimum and maximum salary allowed for such Supernumerary officials and providing for repayment of the amount of salary paid into the general fund of the county by such Clerks and Registers if their tenure of office is terminated prior to their becoming supernumery.

Ways and Means.

By Mr. Burgess:

H. 1186. To provide further for retirement of certain public employees; to authorize, provide for and regulate the awarding of prior service credit for part-time state employment to certain members of the state employees' retirement system; and to make an appropriation for the purpose of paying the employer's contribution toward retirement on the basis of such prior service credit.

Ways and Means.

By Mr. Roberts:

H. 1187. Repealing Sections 151-167, Chapter 8, Title 46, Code of Alabama, 1940.

Ways and Means.

By Mr. Roberts:

H. 1188. An Act to license and regulate the operation of Clinical Laboratories; to provide qualifications for Directors of Clinical Laboratories; to authorize the Department of Public Health to inspect all clinical laboratories in this State; to provide injunctive relief and penalties for violation of this Act.

Ways and Means.

By Messrs. Gafford, Doss, Falkenburg, Bowers, McMillan, Timmons, Dill, Wallace, Boles, Hughes, Meeks, Waggoner, McNair, Boutwell and Weeks:

H. 1189. To amend Section 4, Act No. 571, Acts of Alabama 1967, page 1324, approved September 8, 1967, to further provide for the compensation of the Assistant or Associate Judge of Probate in counties having 600,000 or more population.

Local Legislation No. 2.

By Mr. Stokes:

H. 1190. To allow clerks to destroy exhibits six years after conclusion of cases.

Judiciary.

By Mr. Stokes:

H. 1191. To authorize the governing bodies of the several counties of Alabama to pay all expenses incurred by the Circuit Court Clerks and Registers or other like official by membership in their State organization.

Local Government.

By Messrs. Nettles, Stokes, Wood, Perloff, Therrell, Collins and Roberts:

H. 1192. To prohibit the State Committee of Public Health from closing or denying a health permit to certain food handling establishments in all counties with a population of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census.

Local Legislation No. 3.

By Mr. Hill:

H. 1193. Relating to the suspension of drivers' licenses; amending Section 68 of Title 36 so as to stay certain suspension orders pending a hearing upon request of the licensee.

Judiciary.

By Messrs. Doss, Grainger, Crowe, Lyons, Jones (E), Roberts, St. John, Drake, Wallace, Falkenburg, Boutwell, King, Bank, Erdreich, McNair, Stubbs, Cauthen, Goodwin, Hardin, Gray (F), Waggoner, Hale, Hearn, Parker, Crawford, Connell, Lang, Jackson, Wise, Benton, Kinsey, Barron, Jones (F), Harris, Nettles, Callahan, Therrell, Adwell, Cross, Porter, Chesnut, Waldrop, Headley, Easters, Culver, Gafford, Smith (K), Robertson, Pruitt, Manley, Carter, Williams, Bowers, Flippo, Carnes, Wynot, Stewart, Boles, Hughes, Ellis, Casey, McMillan, Dill, Timmons, Weeks, Lutz, Reynolds, Perloff, Stokes, Turner, Warren, Mims, Reed (T), Wood, Turnham, Brassell, Barkett, Adams, Agee, Snell, O'Daniel, Hill and Cottingham:

H. 1194. To establish a system of regulation and control of surface mining, a declaration of public policy and legislative intent, the creation and establishing of the Alabama Surface Mining and Environmental Protection Commission. Creation of a Director of the Commission with powers and authority, establishes necessity of licenses and permits, and proper application therefor, requires a conservation and reclamation plan and map, sets application fees, bond of operator, sufficiency of surety, cancellation by surety and suspension of operator's permit, provides for violations, administrative procedures, appeals from orders of the Director, legal remedies, enforcement proceedings and penalties, establishes the Alabama Surface Mining and Environmental Protection Fund, provides saving and conforming provisions and establishes the effective date and orderly transition to said new act and repeal of the Surface Mining Act of 1969 (Act 399 Regular Session).

Commerce and Transportation.

By Messrs. McDonald, Lyons and McBride:

H. 1195. To revise and reenact Act No. 14, H. 5, Special Session 1969 (Acts 1969, p. 28), An act to establish the Alabama Commission of Higher Education, so as to change the name of the Commission to the Alabama Commission on Higher Education; to make further provision for the Commission's organization and operations, for the qualifications of its members, and for the position of its chief executive officer; and to strengthen the Commission.

Education.

By Mr. Robertson (With Notice and Proof):

H. 1196. To alter or rearrange the boundary lines of the City of Northport, Tuscaloosa County, Alabama, so as to include within the corpo-

rate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Tuscaloosa County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1196:

LEGAL NOTICE

STATE OF ALABAMA
TUSCALOOSA COUNTY

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

TO ALTER OR REARRANGE THE BOUNDARY LINES OF THE CITY OF NORTHPORT, TUSCALOOSA COUNTY, ALABAMA, SO AS TO INCLUDE WITHIN THE CORPORATE LIMITS OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS THERETO, IN TUSCALOOSA COUNTY, ALABAMA.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Northport, Tuscaloosa County, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Northport; to ratify all past annexations since the last local annexation law, and in addition thereto the following described territory, to-wit:

TRACT 1:

A parcel of land located in W $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7, Township 21 S, Range 10 West, Tuscaloosa County, Alabama.

As a point of beginning start at intersection of East boundary of said W $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and North boundary of Right of Way of U.S. Highway 82 West, said point being 100 feet North of center line of Right of Way: thence Northwardly along East boundary of said W $\frac{1}{2}$ of SE $\frac{1}{4}$ a distance of 728 feet, then with deflection angle of 90 degrees 00 minutes to left run Westerly direction a distance of 297.2 feet to point in center of old ditch: then Southwardly along the center line of meandering of said ditch to intersect with North boundary of Right-of-Way of U.S. 82 West; then Easterly along curving North boundary of Right-of-way of U.S. Highway 82 West a chord distance of 242.2 feet to point of beginning.

TRACT 2:

All of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 8, Township 21 South, Range 10 West, that lays south of U.S. Highway 82.

TRACT 3:

A 30 foot strip of land along the North line of the Northwest Quarter of Section 11, Township 21 South, Range 10 West.

TRACT 4:

Start at the NW corner of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 8, Township 21S, Range 10 W, as point of beginning marked as stone, being NW corner of tract herein described.

Then East 250 feet more or less to a point on West margin of Harper Road being NE corner of said lot, then SE direction along West margin of said road where intersects with N margin of Highway 82 West, then West for 535 feet more or less to a point on $\frac{1}{4}$ section line being SW corner of lot, then North along $\frac{1}{4}$ section line 1026.25 feet more or less to point of beginning.

TRACT 5:

Start at the NW corner of SW $\frac{1}{4}$ of Section 8, Township 21S, Range 10 West, Tuscaloosa County, Alabama, and run East along North line of Ida Bell's farm 1545 feet, then South 730 feet to South margin of U. S. Highway 82 West, which is the point of beginning of the property herein described; then deflect left 106 degrees 02 minutes and run 106 feet along South Right of Way to Station 75 + 00 of U.S. Highway 82 West, being a concrete marker, then turn left 90° 00 minutes and run a distance of 15 ft. to another concrete marker; then turn right 90 degrees 00 minutes and run for a distance of 104 feet along the R.O.W. being 100 feet South of the centerline of U.S. Highway 82 West; then turn right 105 degrees 32 minutes and run South for a distance of 747.2 feet; then turn right 73 degrees 57 minutes and run West 210 feet; then turn right 106 degrees 03 minutes and run North 731.5 feet to point of beginning. A total of 3.5 acres.

TRACT 6:

7.34 acres located in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 9, Township 21S, range 10 W. Begin at the SW corner of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, then North along West line of said $\frac{1}{4}$ for 337.18 feet to point of beginning. Continue North along said line for 388.85 feet. Then turn a deflection angle of 87 degrees 01 minutes to left and run 829.6 feet to a point. Then turn a deflection angle of 94 degrees 50 minutes left and run 388.85 feet, then turn a deflection angle of 85 degrees 08 minutes left and run 815.8 feet to point of beginning.

TRACT 7:

Starting at the Northwest corner of the Northwest Quarter of the Southeast Quarter of Section 8, Township 21 South, Range 10 West, thence East along the Quarter Section line a distance of 72.9 feet to the centerline of Hargrove Creek which point is the point of beginning of property herein described; thence East along this same Quarter Section line a distance of 411.18 feet to the intersection of the North Right-of-way line of U.S. Highway 82 West which is a common point with the Southwest corner of Lot 12 of Proposed Harper Subdivision No. 5; then with a deflection angle to the left of 127 degrees 34 minutes, proceed along the West line of Lots 12, 11, and 10 a distance of 423 feet to Hargrove Creek; then Southerly along a meandering line (Hargrove Creek bank) a distance of approximately 390 feet to the point of beginning. A total of 1.60 acres.

TRACT 8:

One acre in the Southwest corner of S $\frac{1}{2}$ of S $\frac{1}{2}$ of Southeast $\frac{1}{4}$ of Southeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 10 West.

TRACT 9:

Parcel I. The surface rights only in and to the following: The East half of the Southwest Quarter of Section 2, Township 21 South, Range 10 West, including all real property comprising Chestnutt Hills Subdivision No. 1, a map or plat of which subdivision is recorded in the Office of the Probate Judge of Tuscaloosa County, Alabama, in Plat Book 7, Page 111, less and except Lot No. 6 of said subdivision; and also conveying all rights, title and interest in and to Chestnut Hills Subdivision No. 2, a map or plat of which is recorded in Plat Book 10, Page 49, in the Probate Records of Tuscaloosa County, Alabama.

Parcel II. The following described real estate located in Tuscaloosa County, Alabama, to-wit: A parcel containing five (5) acres, more or less, located in the Southwest Quarter of the Southeast Quarter of Section 2, Township 21 South, Range 10 West, and more particularly described as follows: Begin at the Southwest corner of said Southwest Quarter of the Southeast Quarter of Section 2, Township 21 South, Range 10 West, and run North along the West boundary of said Southwest Quarter of the Southeast Quarter a distance of 664.7 feet to a branch, which is the point of beginning; thence continue to run North along said West boundary a distance of 268.8 feet to a point, which point is 933.5 feet North of said Southwest corner and is marked by an iron pin; run thence East (with an interior angle of 71 degrees and 10 minutes) South 77 Degrees and 08 minutes East a distance of 813 feet to a point on the West boundary of Watermelon Road, which point is marked by an iron pin; run thence Southerly along said West boundary of said Watermelon Road a distance of 233 feet to said branch; run thence Westwardly along the center of said branch (following the meanderings thereof) a distance of 622 feet, more or less, back to the point of beginning; and being the same property conveyed by J. A. Channell and wife, Lillie Channell, to Frank E. Turner and his wife, Amanda Turner, by deed dated October 10, 1945, and recorded in the Probate Office of Tuscaloosa County, Alabama, in Deed Book 224, Page 510.

Parcel III. The following described real property located in Tuscaloosa County, Alabama, to-wit: A triangular parcel located in the Southwest Quarter of the Southeast Quarter of Section 2, Township 21 South, Range 10 West, and more particularly described as follows: As a starting point, start at the Southwest corner of said Southwest Quarter of the Southeast Quarter of said Section 2; thence run Northwardly and along the West boundary of said Southwest Quarter of the Southeast Quarter a distance of 933.5 feet to a point, which is the point of beginning of the property herein described; thence continue Northwardly and along the West boundary of said Southwest Quarter of the Southeast Quarter a distance of 100 feet to a point; thence with a deflection angle of 144 degrees 25 minutes to the right, run in a Southeasterly direction for a distance of 162.63 feet to a point; thence with a deflection angle of 144 degrees 25 minutes to the right, run in a Westerly direction a distance of 100 feet back to the point of beginning. Reference to a plat of said property which is recorded in Deed Book 495, Page 285, in the Probate Office of Tuscaloosa County, Alabama, is made in aid of and as a part of this description.

TRACT 10:

A parcel of land located in the Northwest Quarter of the Southeast Quarter of Section 3, Township 21 South, Range 10 West in Tuscaloosa County, Alabama, being more particularly described as follows:

As a point of beginning start at the Northwest corner of the Northwest Quarter of the Southeast Quarter of said Section 3; thence run South along the West line of said Northwest Quarter of the Southeast Quarter for a distance of 133.28 feet to a point on the East or Northeast boundary of Hunter Creek Road, said point being 40 feet from the center line of said Hunter Creek Road; thence with an interior angle of 140 degrees 41 minutes run in a Southerly or Southeasterly direction along said Hunter Creek Road for a distance of 230.44 feet to a point; thence with an interior angle of 90 degrees 00 minutes run in a Northeasterly direction for a distance of 46.0 feet to a point; thence with an interior angle of 228 degrees 00 minutes run in an Easterly direction for a distance of 97.0 feet to a point; thence with an interior angle of 173 degrees 30 minutes run in an Easterly direction for a distance of 100.0 feet to a point; thence with an interior angle of 145 degrees 00 minutes run in a Northeasterly direction for a distance of 68.0 feet to a point; thence with an interior angle of 118 degrees 00 minutes run in a Northerly direction for a distance of 67.0 feet to a point; thence with an interior angle of 153 degrees 00 minutes run in a Northwesterly direction for a distance of 180.0 feet to a point; thence with an interior angle of 129 degrees 25 minutes run in a Westerly direction for a distance of 336.94 feet to the point of beginning.

Said parcel containing 2.22 acres.

TRACT 11:

Parcel A: Begin at the Northeast corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 16, Township 21 South, Range 10 West, and continue West along the section line for a distance of 624.63 feet; thence to the left with an interior angle of 86°24' go south for a distance of 615 feet; thence to the left with an interior angle of 93 degrees 36' go East for a distance of 762.57 feet; thence to the left with an interior angle of 23 degrees 38' go in a northwesterly direction for a distance of 154.33 feet; thence to the right with an exterior angle of 242 degrees 43' go in a northerly direction for a distance of 553 feet to the point of beginning, parcel containing 8.9337 acres, more or less.

Parcel B: Parcel B-1: A part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, 3-21-10, being more particularly described as follows: as a point of beginning, start at the Northwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence run in a Southerly direction and along the West boundary of 1322.55 feet to the Southwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence run in an Easterly direction and along the south boundary of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ for a distance of 824.62 feet to a point; thence with a deflection angle of 93 degrees 43' to the left run in a Northerly direction for a distance of 1322.28 feet to a point, said point lying on the North boundary of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence with a deflection angle of 86 degrees 17' to the left run in a Westerly direction for a distance of 828.40 feet to the point of beginning.

Parcel B-2: A part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, 3-21-10, being more particularly described as follows: as a point of beginning, start to the Northwest corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence run in a Southerly direction and along the West Boundary of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ for a distance of 588.79

feet to a point; thence with a deflection angle of $129^{\circ}58'$ to the left run in a Northeasterly direction for a distance of 351.69 feet to a point; thence with a deflection angle of $4^{\circ}40'$ to the right continue in a Northeasterly direction for a distance of 239.0 feet to a point; thence with a deflection angle of $54^{\circ}42'$ to the left run in a Northerly direction for a distance of 193.0 feet to a point, said point lying on the North boundary of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence with a deflection angle of $86^{\circ}07'$ to the left run in a Westerly direction for a distance of 466.0 feet to the point of beginning.

TRACT 12:

Begin Section line which is the West corner of E $\frac{1}{2}$ of E $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 6, Township 21 South, Range 10 West, and continue North 416 feet; then East 104 feet; then South 416 feet; and then West 104 feet to point of beginning.

This land is part of W $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 6, Township 21 South, Range 10 West, the tract starts at SE corner of the W $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$; then run North along East line of said forty 109 feet to point on North boundary of County Road, which is point of beginning; then continue North 382.7 feet; thence with deflection angle of $71^{\circ}29'$ to the left run West 120 feet; thence with a deflection angle of $108^{\circ}31'$ to the left run South parallel to East line of W $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ 382.7 feet to point on North boundary of said county road; thence with a deflection angle of $71^{\circ}29'$ to left run East along road 120 feet to point of beginning.

TRACT 13:

Lots no. 18, 19, and 20 of Clark Subdivision as recorded in Plat Book 10, at Page 150, in the Probate Office of Tuscaloosa County, Alabama.

TRACT 14:

Begin at the Northeast corner of Section 8, Township 21, South, Range 10 West; then West along the Section line 480 feet to the point of beginning, thence turn an angle of 123 degrees left and run 260 feet; thence turn right 90 degrees and run 338 feet to margin of the Byler Road; run thence in a Northwesterly direction 258 feet along the East margin of Road to P.T.R.O.W. Marker 73-63; thence continue along the East margin 288 feet to a pipe on section line of Section 8; thence turn 131 degrees and 35 minutes and run East 510 feet along section line to the point of beginning, containing 3.4 acres, more or less same property described and recorded in Deed Book 360, Page 540, office of Judge of Probate, Tuscaloosa County, Alabama.

TRACT 15:

One acre of land in the Northeast Corner of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) in Section 11, Township 21, Range 10, being and lying in Tuscaloosa County, Alabama.

A part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 11, Township 21 South, Range 10 West, in Tuscaloosa County, Alabama, being more particularly described as follows: Start at the Northwest corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, 11-21-10; thence run in an Easterly direction and along the North boundary of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ for a distance of 47.8 feet to a point, said point lying on the West boundary of the Watermelon Road, an 80 foot right-of-way; thence with a deflection angle of $111^{\circ}58'$ to the right, run in a Southerly direction and along the curving West boundary of the Watermelon Road

for a chord distance of 113.77 feet to a point, said point also lying on the West boundary of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence with a deflection angle of 155°13' to the right, run in a Northerly direction and along the West boundary of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ for a distance of 105.62 ft. to the point of beginning.

TRACT 16:

Parcel One:

All of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 18, Township 21 South, Range 10 West, which lies South of GM&O RR and West of Old Columbus Highway and N. of Alabama Insane Hospital Property.

Trailer Court (Pine Grove) Assessed by Boe.

Parcel Two:

A pt of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 18, Township 21 South, Range 10 West, desc as follows: Beg at NW cor of Sec 18 run thS along W margin of sd sec to a pt on N marg of GM&O RR R/W; th E along N mrg of sd RR R/W to a pt on the SW marg of R/W of Old US H/W 82; th NW direction along the curving marg of sd H/W R/W to a pt on the N marg of sd sec; th W to a pt of beg.

Parcel Three:

St at NE cor of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 18 and proceed South alg the E bdry line of sd NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec 18 for a dist of 401.0 ft to a pt, th with a right defl ang of 93Degr 13 min, run in a W dir alg the R.O.W. line of the GM&O RR a dist of 432.64 ft to the POB of the prop herin desc.

Th W alg this same R.O.W. line a dist of 84.0 ft to a pt, th turn a defl ang of 87 Degr 00 min to the right and proceed N a dist of 522.2 ft to a pt on the South R.O.W. line of U.S. Hwy 82; th turn a defl ang of 95 Degr 58 min to the right and proceed a dist of 84.0 ft to another point on the S R.O.W. line of HWY 82; th turn a defl ang of 84 Degrees 02 min and proceed South a dist of 518.9 ft. to the POB. A total of 1.00 acres,

St at NE cor of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec 18 and proceed South alg bdry line of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec 18 for a dist of 401.00 ft to a pt, th with a right defl ang of 93 Degr 13 min, run in a W dir alg the R.O.W. line of the GM&O RR a dist of 348.64 ft to the POB of the prop herein desc. Th W alg this same R.O.W. line a dist of 84.0 ft to a pt. Th turn a defl ang of 87 degs 00 mins to the right and proceed N a dist of 518.9 ft to a pt on South R.O.W. line of U.S. Hwy. 82. Th turn a defl ang of 94 Degr 30 min to th right and proceed a dist of 84.0 ft to another point on the S R.O.W. line of Hwy. 82. Th turn a defl ang of 85 Degr 39 Min to the right and proceed South a dist of 516.6 ft to the POB. A total of 1 acre.

Parcel Four:

St at the Sw cor of Sec 7, Tp 21 South, Range 10 West, and run E along Sec line 1580 to POB; th turn left 93 Degr 14 Min and run N 160.2' along E line of Foy W. Young land, as described in DB 495 at Pg 427; th E along U.S. 82 By-pass for a dist of 51' to a pipe; th S 169' along Rufus Richey's line to S line of Sec 7; thence W 51' to POB.

13th Day

Parcel Five:

Start at SW cor of Section 7, Township 21, Range 10 West, run E 1833 ft along South line of Sec 7 to a ditch being the pt of begin. Th run N along center of sd ditch 240 ft to S margin of H/W 82 th E 150 ft, to E line of Bettis land along S line th run S 248.3 ft to sec line th west 49 ft to begin all being in SE $\frac{1}{4}$ of SW $\frac{1}{4}$.

Parcel Six:

Start at SW cor Sec 7, Tp 21, Range 10 W & run E 1631.5 ft along Sec line to pt of beg; th L 93 Deg 15 min & run N 169 ft to R/W US H/W 82; th E along S marg of US H/W 82 213 ft to the center of a ditch; th down sd ditch in a SE dir 240 ft to the sec line; th W 301 ft to pt of beg, cont. 1.1 acres, more or less, all being Tusc County, Alabama.

Parcel Seven:

All lands in the North half of Section 18, Township 21 South, Range 10 West, that lay North of the Old Columbus Highway, West of the airport and South of the GM&O Railroad.

TRACT 17:

The surface rights in and to the following described land. To-wit: Begin at the point made by the South margin line of the Watermelon Road with the Northwest corner of the John Turner Place: run thence South 900 feet: thence West 726 feet to a stake, thence West 594 feet to the land of Henry Snider to a point of beginning, thence run North 73 feet 4 inches, thence run East 250 feet; thence run South 73 feet 4 inches; thence run West 250 feet to the point of beginning. This land lying and being in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, Township 21, Range 10, West.

The surface rights in and to the following described land. To-wit: Begin at the point made by the South margin line of the Watermelon Road with the Northwest corner of the John Turner Place: run thence South 900 feet; thence West 726 feet to a stake, thence West 594 feet to the land of Henry Snider; thence run North 73 feet 4 inches to point of beginning; thence run North 73 feet 4 inches; thence run East 250 feet; thence run South 73 feet 4 inches; thence run West 250 feet to the point of beginning. This land lying and being in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, Township 21, Range 10, West.

The surface rights in and to the parcel of land hereinafter described, to-wit: From a point made by the South margin line of the Watermelon Road with the Northwest corner of the John Turner Place, run South 900 feet; thence West 726 feet to a stake, thence continue West again 594 feet to the land of Henry Snider; thence run North 146 feet 8 in to a point for beginning description of the lot and parcel of land herein conveyed. From said point of beginning run North 73 feet 4 inches; thence run East 250 feet; thence run South 73 feet 4 inches; thence run West 250 feet back to said point of beginning. This land lying and being in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, Township 21, Range 10, West.

TRACT 18:

As a point of beginning start at the point of intersection of the East boundary of U.S. Highway No. 43 and the existing City Limits for North-

port, Alabama; thence run in a Northwesterly direction and along the East boundary of U.S. Highway No. 43 to its point of intersection with the South boundary of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, thence run in an Easterly direction and along the South boundary of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ to the Southwest corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence continue in an Easterly direction and along the South boundary of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ for a distance of 660 ft. to a point; thence run in a Northerly direction and parallel with the West boundary of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ to a point on the North boundary of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence run in a Westerly direction and along the North boundaries of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ to its point of intersection with the East boundary of U. S. Highway No. 43; thence run in a Southerly direction and along the East boundary of U.S. Highway No. 43 to a concrete Highway Monument, said Monument lying at a Right-of-Way change of U.S. Highway No. 43; thence run in a Southwesterly direction for a distance of 40 ft. to a point; thence continue in a Southeasterly direction and parallel with and 30 ft. from the East boundary of U.S. Highway No. 43 to a point lying on the existing City Limits of Northport, Alabama; thence run in an Easterly direction and along the existing City Limits of Northport, Alabama for a distance of 32 ft., more or less, to the point of beginning.

TRACT 19:

Lots numbered Thirteen (13) Fourteen (14) and Fifteen (15) of Clark Subdivision, a map or plat of which is recorded in Plat Book 10, at Page 150, in the Probate Office of Tuscaloosa County, Alabama, and reference to which is hereby made in aid of and as a part of this description.

TRACT 20:

SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 33, Township 20 South, Range 10 West in Tuscaloosa County, Alabama and that part of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying west of the Shirley Road. Less and except one (1) acre in the NE corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$.

TRACT 21:

Starting at South East corner of Northeast Quarter of Northeast Quarter run West 264 feet to Road, thence North along East boundary of road 594 feet thence East to Section Line, Thence South to beginning Section 1, Township 21, Range 11, three (3) acres more or less.

Begin at Southwest corner of Northwest Quarter of the Northwest Quarter run E. 544.5 feet to big ditch, thence along West Bank of ditch to Section line, thence North to beginning, Section 6, Township 21, Range 10, containing 6 acres more or less, containing 9 acres more or less.

TRACT 22:

Five (5) acres of land between Dunn's Flowerland and Greenvillage Mobile Home Park. Located on 82 Highway. 290.2 feet along Highway 82 and 728 ft. deep. Township 21 South, Range 10 West.

TRACT 23:

A part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3, Township 21 South, Range 10 West in Tuscaloosa County, Alabama, being more particularly described as follows: Start at the Northwest Corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, thence

13th Day

run in an Easterly direction along the North boundary of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ for a distance of 466.0 feet to the point of beginning; thence with a deflection of 193.0 ft. to a point; thence with a deflection angle of 112 degrees 01 minutes to the left, run in a Northeasterly direction for a distance of 159.36 feet to a point; thence with a deflection angle of 21 degrees 23 minutes to the right, run in an Easterly direction for a distance of 54.74 feet to a point; thence with a deflection angle of 89 degrees 12 minutes to the left, run in a Northerly direction for a distance 118.89 feet to a point, said point lying on the North boundary of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence with a deflection angle of 86 degrees 17 minutes to the left, run in a Westerly direction and along the North boundary of the SE $\frac{1}{4}$ for a distance of 203.29 feet to the point of beginning. Said parcel containing 0.689 acres.

TRACT 24:

All of Lot Number 16 and Lot Number 17 of Clark Subdivision, a map or plat of which is recorded in the Office of Judge of Probate in Plat Book Ten (10) at Page 150, reference to said map or plat being made herein in aid of and as a part of this description.

No business buildings shall be built or used on the land hereby conveyed, nor shall said lands be used for any purpose other than residential. No dwelling costing less than Ten Thousand and NO/100 (\$10,000.00) Dollars, shall be erected on said property. No lot shall be re-subdivided or more than one dwelling constructed on any of the lots herein conveyed prior to the installation of a proper, adequate, and approved central water supply system and the installation of an approved central sewage system. As part of the consideration for this conveyance, parties of the second part agrees to conform to the foregoing restrictions and agrees that said restriction shall be binding on the parties of the second part, his heirs, assigns and transferees.

TRACT 25:

The Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 4, Township 21 South, Range 10 West, of Tuscaloosa County, Alabama.

TRACT 26:

A parcel of land lying in the West one-half of the Southwest Quarter of Section 8, Township 21 South, Range 10 West, Tuscaloosa County, Alabama, the boundaries of said parcel being described as follows:

To locate the point of beginning, commence at the Southwest corner of said section; thence run North 4 degrees 48' West, along the West boundary of said section, a distance of 784.24 feet to the point of beginning. Thence continue North 4 degrees 48' West, along the West boundary of said section, a distance of 606.74 feet to a point on the South right of way line of U.S. Highway 82; thence North 69 degrees 46' East, along said right of way line, a distance of 437.93 feet to a point; thence South 59 degrees 01'30" east, along the said right of way line, a distance of 115.35 feet to a point on the West right-of-way line of a public road know as the Harper Road; thence South 7°49' East, along the West right of way line of said Harper Road, a distance of 627.69 feet to a point; thence South 82°11' West, perpendicular to the West right of way line of said Harper Road, a distance of 549.53 feet to the point of beginning. All lying in the West one-half of the Southwest Quarter of

Section 8, Township 21 South, Range 10 West, Tuscaloosa County, Alabama and containing 8.00 acres, more or less.

TRACT 27:

A part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, Township 21 South, Range 10 West in Tuscaloosa County, Alabama being more particularly described as follows: As a point of beginning start at the point of intersection of the West boundary of Section 11 and the North boundary of the U.S. 82 By-Pass; thence run in an Easterly direction and along the North boundary of the U.S. 82 By-pass for a distance of 1006.81 ft. to a point; thence with a deflection angle of 94 degrees 26' to the left, run in a Northerly direction for a distance of 370.58 ft. to a point; thence with a deflection angle of 86 degrees 32' to the left, run in a Westerly direction for a distance of 1005.65 ft. to a point, said point lying on the West boundary of Section 11; thence with a deflection angle of 93 degrees 27' to the left, run in a Southerly direction and along the West boundary of Section 11 for a distance of 353.45 ft. to the point of beginning.

TRACT 28:

All of Lots One (1), Two (2) and Three (3) of Clark Subdivision, a map or plat of which is recorded in the Probate Office of Tuscaloosa County, Alabama in Plat Book Ten (10) at Page 150, reference to said map or plat being made herein in aid of and as a part of this description.

TRACT 29:

A part of Lot Six (6) of Five Points Subdivision, a plat of which is recorded in Plat Book 5 at Page 196 of the Probate Records of Tuscaloosa County, Alabama, reference to the record of said map or plat being here made in aid of and as a part of this description, the portion of said lot 6 herein conveyed being described as follows: Start at the Northwest Corner of said Lot 6 and run South along the Western boundary line thereof a distance of 115 feet; run thence East and parallel to the Northern boundary of said Lot 6 a distance of 190 feet, more or less, to the Eastern boundary of said lot and the Western margin of 38th Avenue; run thence North along the Eastern boundary of said Lot 6 to the Northeast corner thereof; run thence West along the Northern boundary of said Lot 6 to the Northwest corner thereof and the point of beginning.

All of Lot Numbered Six and Seven (6 and 7) of Five Points Subdivision near Northport Alabama as shown and designated on Plat recorded in Plat Book 5 at Page 196 of the Probate Records of Tuscaloosa County, Alabama; reference to the said map or plat being hereby made in aid of and as a part of this description.

Subject to an easement of the Alabama Power Company across the above lots.

TRACT 30:

All of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, Township 21 South, range 10 West in Tuscaloosa County, Alabama lying North of the U.S. 82 By-Pass and West of the Watermelon Road.

TRACT 31:

PARCEL NO. 1 Begin at the southeast corner of the southwest quarter of the northwest quarter of section 11, township 21 south, range 10 west,

Tuscaloosa County, Alabama; thence north 0 degrees 15' west along the east boundary line of said quarter-quarter a distance of 192.0 feet to a point on the southerly right-of-way line of U.S. Highway No. 82; thence north 84 degrees 25' west along the southerly right-of-way of said Highway No. 82, a cord distance of 322.08 feet to a point; thence south 0 degrees 23' east a distance of 203.80 feet to a point on the south boundary line of said quarter-quarter; thence north 86 degrees 31' west along said outh boundary line, a distance of 88.23 feet to a point; thence south 0 degrees 03' east, a distance of 351.41 feet to a point on the northerly right-of-way line of Watermelon Road; thence south 87 degrees 33' east along said right-of-way line a distance of 473.58 feet to a point; thence north 79 degrees 44' east along said right-of-way line a cord distance of 457.38 feet; thence north 64 degrees 41' east along said right-of-way line a distance of 493.94 feet to a point on the north boundary line of the northeast quarter of the southwest quarter of said section 11; thence north 86 degrees 47' west, along the north boundary of said quarter-quarter a distance of 962.26 feet to the point of beginning.

All lying in the southwest quarter of the northwest quarter and the north one-half of the southwest quarter of section 11, township 21 south, range 10 west, Tuscaloosa County, Alabama, and containing 9.61 acres, more or less.

PARCEL NO. 2 To locate the point of beginning commence at the southeast corner of the southwest quarter of the northwest quarter of section 11, township 21 south, range 10 west, Tuscaloosa County, Alabama; thence north 0 degrees 15' west along the east boundary line of said quarter-quarter, a distance of 443.38 feet to the point of beginning said point of beginning lying on the northerly right-of-way line of U.S. Highway No. 82; thence continue north 0 degrees 15' west, along the east boundary of said quarter-quarter a distance of 383.11 feet to a point; thence south 0 degrees 83' east a distance of 370.66 feet to a point on the northerly right-of-way line of said Highway No. 82; thence South 84 degrees 24' east along said right-of-way line a chord distance of 321.20 feet to the point of beginning.

All lying in the southwest quarter of the northwest quarter of section 11, township 11 south, range 10 west, Tuscaloosa County Alabama, and containing 2.75 acres, more or less.

TRACT 32:

A part of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 11, Township 21 South, Range 10 West in Tuscaloosa County, Alabama, being more particularly described as follows:

To find the point of beginning, commence at the Northwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 11, Township 21 South Range 10 West; thence proceed in a Southerly direction along the West line of said quarter-quarter section a distance of 209.89 feet to a point which is the Northwest corner of the property herein described and is the point of beginning; thence continue in a Southerly direction along the West line of the said quarter-quarter section a distance of 656.74 feet to a point; thence with an interior angle of 93 degrees 50' to the left proceed in an Easterly direction 1295.73 feet to a point which is 32.5 feet West of the East line of said Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said section; thence with an interior angle of 85 degrees 46' to the left proceed in a Northerly direction 648.78 feet to a point; thence with an interior angle of 94 degrees 36' to the left, proceed in a Westerly direction 1291.77 feet to the point of beginning, said parcel containing 19.334 acres.

TRACT 33:

Parcel Number One: Begin at the Northeast corner of Section 1, Township 21 South, Range 11 West, and run South 3 degrees 50' West for a distance of 234 feet to the first named corner of this parcel of property; thence run North 45 degrees West for a distance of 170 feet to a point on the North boundary line of said Section 1 and the South boundary line of a public road; thence run in an Eastern or slightly Southeastern direction along the South boundary line of the said public road to a point on the West boundary line of the Church Road; thence run in a Southern direction along the West boundary line of the Church Road to a point which is directly East of the Southeast corner of the property heretofore coveyed by Mary Lee Price Sutton to Oliver Sutton; thence run in a Western direction to the Southeast corner of said property heretofore coveyed by Mary Lee Price Sutton to Oliver Sutton; thence run in a Northern direction in a straight line to the first named corner of this parcel of property.

Parcel Two: Begin at the Northeast corner of Section 1, Township 21 South, Range 11 West, and run South 3 degrees 50' West for a distance of 234 feet; thence run North 45 degrees West for a distance of 170 feet to a point which is the first named corner of this parcel of property thence run South 55 degrees West for a distance of 420 feet to a point; thence run South 28 degrees West for a distance of 157 feet; thence run North with a compass reading of about 354 degrees along the Eastern boundary line of the J. W. Christian property on the West for a distance of 388 feet, more or less, to a point on the Southern boundary line of the right of way of a public road; thence run in an Eastern direction along the Southern boundary line of the public road for 464 feet, more or less to the point of beginning.

TRACT 34:

Parcel One: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section, Township 21 South, Range 10 West.

Parcel Two: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7, Township 21 South, Range 10 West.

Parcel Three: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7, Township 21 South, Range 10 West.

Parcel Four: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7, Township 21 South, Range 10 West.

Parcel Five: NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7, Township 21 South, Range 10 West.

Parcel Six: Jennings Chapel Subdivision and all property belonging to the Church including Chapelwood Subd. #1, Plat Book 9, at Page 102 and Chapelwood Subd. #2 Plat Book 10, at Page 101.

Parcel Seven: Cloverdale Estate Subdivision as recorded in Plat Book 10 at Page 90 in the Probate office of Tuscaloosa County, Alabama.

Parcel Eight: Booth Estate Subdivision as recorded in Plat Book 10 at Page 96 in the Probate Office of Tuscaloosa County, Alabama.

Parcel Nine: Lavender Acres Subdivision as recorded in Plat Book 9 at page 97 in the Probate Office of Tuscaloosa County, Alabama.

REGULAR SESSION
13th Day

1093

Parcel Ten: A portion of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of: Start at SW corner of $\frac{1}{4}$ run thence Northerly along W Boundary of $\frac{1}{4}$ for 330 feet; which is point of beginning, thence continue Northerly along W boundary 90 feet to point; thence turn right through deflectin angle 93 degrees 45' run Easterly 210 feet to point; thence right deflection angle 86 degrees 15' Southerly 90 degrees to point; thence Westerly 210 feet more or less, to point of beginning. All in Section 6, Township 21 South Range 10 West.

Parcel Eleven: West $\frac{1}{2}$ of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and West $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ both in Section 7, Township 21 South, Range 10 West.

Parcel Twelve: Begin at the SW corner of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ run East along the South boundary line 660 ft to SE corner of the West $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$; which is the point of beginning. Thence turn left and run along the East boundary line of said West $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ a distance of 69 feet more or less to the South margin of public road; thence left and follow the meanderings of the South margin of the road 371 feet to a point; thence left and run in a straight line 170 feet more or less to a point on the South boundary line of said 40; thence left and run 409 feet to point of beginning. All in section 6, Township 21 South, Range 10 West.

Less and except: Lots 8 through 15, and 21 through 24, of Simpson Subdivision and the lands of Mr. Chester F. Cork.

TRACT 35:

Parcel I: A part of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, Township 21 South, Range 10 West in Tuscaloosa County, Alabama being more particularly described as follows: Start at the Southwest corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ thence run in an Easterly direction and along the South boundary of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ for a distance of 1,279.64 ft. to the point of beginning; thence continue in an Easterly direction and along the South boundary of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ for a distance of 10.0 ft. to the West boundary of the Watermelon Road, an 80 ft. right-of-way; thence run in a Northerly direction and along the West boundary of the Watermelon Road for a distance of 438.77 ft. to a point; thence run in a Westerly direction and parallel with the South boundary of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ for a distance of 10.0 ft. to a point; thence run in a Southerly direction and parallel with the West boundary of the Watermelon Road for a distance of 438.92 ft. to the point of beginning.

PARCEL II: All of that part of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 11, Township 21 South, Range 10 West, which lies North of the Highway 82 By-Pass and West of Watermelon Road in Tuscaloosa County, Alabama.

PARCEL III: All that part of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 11, Township 21 South, Range 10 West, which lies South of the Highway 82 By-Pass and North of Watermelon Road in Tuscaloosa County, Alabama.

TRACT 36:

Parcel One: To find the point of beginning start at the Southeast corner of the Southwest $\frac{1}{4}$ of Section 10, Township 21 South, Range 10 West in Northport, Alabama and proceed north along the half-section line a distance of 619 feet to a point. Then turn a deflection angle to the left of 94 degrees

05' and proceed West 300 feet to a point. Then turn a deflection to the right of 94 degrees 05' and proceed North a distance of 1054.50 feet to the Southwest corner, said corner being the point of beginning of the property herein described. Then continue North on this same line a distance of 250.0 feet to the Northwest corner of this property. Then turn a deflection angle to the right of 90 degrees 00' and proceed East a distance of 124.62 feet to the Northeast corner which is on the West right-of-way of 11th Ave. Then turn a deflection angle to the right of 90 degrees 00' and proceed South along the West right-of-way of 11th Avenue a distance of 250.0 feet to the Southeast corner. Then turn a deflection angle to the right of 90 degrees 00' and proceed West a distance of 124.62 feet to the point of beginning. A total of 0.715 acres.

Parcel Two: The point of beginning of the property herein described is the Northeast corner of Lot No. 14 of Longview Subdivision as shown in Plat Book 10, Page 31 in Tuscaloosa County Probate Judge's Office.

From the point of beginning proceed north a distance of 30.0 feet to the centerline of 28th Street. Then turn a deflection angle to the right of 90 degrees 00' and proceed a distance of 300.0 feet to the Northeast corner. Then turn a deflection angle to the right of 90 degrees 00' and proceed south a distance of 1,581.3 feet to the Southeast corner. Then turn a deflection angle to the right of 94 degrees 48' and proceed West a distance of 301.0 feet to the Southwest corner which is on the centerline of 22nd Street. Then turn a deflection angle to the right of 85 degrees 12' and proceed North along the East line of Longview Subdivision a distance of 1,556.3 feet to the point of beginning. A total of 10.80 acres.

Parcel Three: The point of beginning of the property herein described is the Northwest corner of Lot No. 11 of George Rose Subdivision as shown in Plat Book 9, Page 49 in Tuscaloosa County Probate Judge's office.

From the point of beginning proceed north along the west line of George Rose Subdivision and parallel to the Half-section line a distance of 1,707.4 feet to a point on the south right-of-way of U.S. Highway 82. Then turn a deflection angle to the left of 84 degrees 32' and proceed west along the south right-of-way of Highway 82 a distance of 418.4 feet to another point on the south right-of-way. Then turn a deflection angle to the left of 95 degrees 28' and proceed south parallel to the half-section line a distance of 1,828.4 feet to the Southwest corner of the property. Then turn a deflection angle to the left of 101 degrees 01' and proceed east a distance of 424.5 feet to the point of beginning. A total of 16.903 acres.

TRACT 37:

That portion of the Northeast one-fourth of the Southeast one-fourth of Section 10, Township 21 South, Range 10 West, specifically described as follows: Begin at the Northeast corner of the Northeast one-fourth of the Southeast one-fourth of Section 10, Township 21 South, Range 10 West, and run thence in a Western direction along the North boundary line of the said forty for a distance of 548.5 feet to a point, which is the Northwest corner of the Alabama Power Company property and the Northeast corner of this parcel of property; thence run in a Southern direction and parallel to the East boundary line of the said forty for a distance of 461.2 feet to a point on the North boundary line of the right-of-way of the Watermelon Road; thence run in a Western and slightly Southwestern direction along the Northern bounda-

REGULAR SESSION
13th Day

1095

ry line of the right-of-way of the Watermelon Road to a point on the West boundary line of the Northeast one-fourth of the Southeast one-fourth of said Section 10; thence run in a Northern direction along the West boundary line of the said forty to the Northwest corner of the said forty; thence run in an Eastern direction along the North boundary line of the said forty to the Northeast corner of this parcel of property.

TRACT 38:

All of the following described real property in Tuscaloosa County, Alabama, to-wit: All of Lot Numbered (9) Nine of Five-Points Subdivision near Northport, Alabama, as shown and designated on a plat recorded in Plat Book 5 at Page 196 in the Probate Office of Tuscaloosa County, Alabama, reference to said map or plat being hereby made in aid of and as a part of this description.

TRACT 39:

All of Lots numbered eight (8), twelve (12) thirteen (13) and fourteen (14) of Five Points Subdivision near Northport, Alabama, as shown and designated on a plat recorded in Plat Book 5 at Page 196 in the Probate Office of Tuscaloosa County, Alabama, reference to said map or plat being hereby made in aid of and as part of this description.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA
TUSCALOOSA COUNTY**

Before me LaJune Burnett, Notary Public in and for the State and County aforesaid personally appeared Karl S. Elebash, Jr., who, being by me first duly sworn, deposes and said that during the time herein mentioned he was Publisher of Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for fourth successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, May 24, May 31, and June 7 all in the year 1973.

KARL S. ELEBASH, JR.,
Affiant.

Sworn to and subscribed before me on this 14th day of June 1973.

LAJUNE BURNETT,
Notary Public.

RESOLUTION

The following resolution was introduced:

By Mr. Williams:

H. J. R. 114. NAMING A PORTION OF THE PUBLIC HIGHWAY KNOWN AS THE HIGHWAY NO. 72 BY-PASS LOCATED IN SCOTTSBORO THE "JOHN T. REID PARKWAY."

WHEREAS, John T. Reid has served the city of Scottsboro as its distinguished mayor with the zeal and dedication that produces great accomplishments; and

WHEREAS, through Mayor Reid's efforts the city of Scottsboro has realized a period of economic and industrial growth that benefits not only the citizens of his community but has enriched the lives of those in the surrounding communities; and

WHEREAS, it is fitting and appropriate, and desired by his fellow citizens of Scottsboro that some commemoration of Mayor Reid's many fine efforts be made a part of Scottsboro as a lasting reminder of his untiring and decisive work for the residents of that community; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That all that portion of the public highway known as the Highway No. 72 By-Pass that is located within the city limits of Scottsboro, Alabama, is hereby designated and shall be known as the "JOHN T. REID PARKWAY" and the state highway department is authorized and directed to have erected and maintained appropriate signs or markers designating this portion of highway as above provided.

The resolution, H. J. R. 114, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

And the bill:

H. 437. To provide for a secretarial assistant for the district attorney of the 26th Judicial Circuit, establishing the compensation for said position and making the provisions of this Act retroactive to July 1, 1972.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Grainger	McDonald
Adams	Cottingham	Gray (F)	McMillan
Barkett	Crawford	Grey (D)	McNair
Barron	Cross	Hale	Manley
Bassett	Crowe	Hardin	Mathews
Benton	Culver	Harris	May
Boles	Dill	Headley	Meeks
Boutwell	Doss	Hearn	Merrill
Bowers	Downing	Hill	Mims
Brassell	Drake	Hobbie	Naramore
Burgess	Easters	Hughes	Nettles
Callahan	Edwards	Jackson	O'Daniel
Carnes	Ellis	Jones (F)	Owens
Carter	Erdreich	King	Parker
Casey	Falkenburg	Kinsey	Perloff
Cauthen	Fite	Lang	Porter
Chesnut	Flippo	Lutz	Pruitt
Collins	Gafford	McBride	Reed (T)
Connell	Goodwin	McCluskey	Reid (R)

REGULAR SESSION

1097

13th Day

Reynolds	Snell	Turner	Weeks
Roberts	Stewart	Turnham	Williams
St. John	Stokes	Waggoner	Wise
Slate	Stubbs	Waldrop	Wood
Smith (K)	Therrell	Wallace	Wynot
Smith (P)	Timmons	Warren	

—99

And the bill:

H. 889. Relating to CONECUH County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Barkett	Downing	Kinsey	Roberts
Barron	Drake	Lang	St. John
Bassett	Easters	Lutz	Slate
Benton	Edwards	McBride	Smith (K)
Boles	Ellis	McCluskey	Smith (P)
Boutwell	Erdreich	McDonald	Snell
Bowers	Falkenburg	McMillan	Stewart
Brassell	Fite	McNair	Stokes
Burgess	Flippo	Manley	Stubbs
Callahan	Gafford	Mathews	Therrell
Carnes	Goodwin	May	Timmons
Carter	Grainger	Meeks	Turner
Casey	Gray (F)	Merrill	Turnham
Cauthen	Grey (D)	Mims	Waggoner
Chesnut	Hale	Naramore	Waldrop
Collins	Hardin	Nettles	Wallace
Connell	Harris	O'Daniel	Warren
Coshatt	Headley	Owens	Weeks
Cottingham	Hearn	Parker	Williams
Crawford	Hill	Perloff	Wise
Cross	Hobbie	Porter	Wood
Crowe	Hughes	Pruitt	Wynot
Culver	Jackson	Reed (T)	

—99

And the bill:

H. 890. (With Amendment): Relating to counties having a population of not less than 33,550 nor more than 34,000, making communication officers and radio operators "peace officers" under the provisions of Act No. 999, H. 288, Regular Session 1969.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend House Bill 890 by adding a Section 2 thereto, as follows:

"Section 2. All communication officers coming under this bill are exempt from the Minimum Standards Act, as relates to the Peace Officers Annuity Fund and physical examination, as required by law."

Also, amend House Bill 890 by renumbering Section 2 as "Section 3", and renumbering Section 3 as "Section 4".

And the amendment was adopted.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Barkett	Downing	Kinsey	Roberts
Barron	Drake	Lang	St. John
Bassett	Easters	Lutz	Slate
Benton	Edwards	McBride	Smith (K)
Boles	Ellis	McCluskey	Smith (P)
Boutwell	Erdreich	McDonald	Snell
Bowers	Falkenburg	McMillan	Stewart
Brassell	Fite	McNair	Stokes
Burgess	Flippo	Manley	Stubbs
Callahan	Gafford	Mathews	Therrell
Carnes	Goodwin	May	Timmons
Carter	Grainger	Meeks	Turner
Casey	Gray (F)	Merrill	Turnham
Cauthen	Grey (D)	Mims	Waggoner
Chesnut	Hale	Naramore	Waldrop
Collins	Hardin	Nettles	Wallace
Connell	Harris	O'Daniel	Warren
Coshatt	Headley	Owens	Weeks
Cottingham	Hearn	Parker	Williams
Crawford	Hill	Perloff	Wise
Cross	Hobbie	Porter	Wood
Crowe	Hughes	Pruitt	Wynot
Culver	Jackson	Reed (T)	

—99

And the bill, H. 890, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Casey	Drake	Hardin
Adams	Cauthen	Easters	Harris
Barkett	Chesnut	Edwards	Headley
Barron	Collins	Ellis	Hearn
Bassett	Connell	Erdreich	Hill
Benton	Coshatt	Falkenburg	Hobbie
Boles	Cottingham	Fite	Hughes
Boutwell	Crawford	Flippo	Jackson
Bowers	Cross	Gafford	Jones (F)
Brassell	Crowe	Goodwin	King
Burgess	Culver	Grainger	Kinsey
Callahan	Dill	Gray (F)	Lang
Carnes	Doss	Grey (D)	Lutz
Carter	Downing	Hale	McBride

REGULAR SESSION
13th Day

1099

McCluskey	Nettles	St. John	Turnham
McDonald	O'Daniel	Slate	Waggoner
McMillan	Owens	Smith (K)	Waldrop
McNair	Parker	Smith (P)	Wallace
Manley	Perloff	Snell	Warren
Mathews	Porter	Stewart	Weeks
May	Pruitt	Stokes	Williams
Meeks	Reed (T)	Stubbs	Wise
Merrill	Reid (R)	Therrell	Wood
Mims	Reynolds	Timmons	Wynot
Naramore	Roberts	Turner	

—99

And the bill:

H. 921. (With Amendment): Relating to Conecuh County, to provide Clerical Assistance for the Tax Assessor such allowance to be payable out of the General Funds of the County.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend House Bill 921 in Section 1 by adding the words "per month" after the figures "\$650.00" and before the word "for".

And the amendment was adopted.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Barkett	Downing	Kinsey	Roberts
Barron	Drake	Lang	St. John
Bassett	Easters	Lutz	Slate
Benton	Edwards	McBride	Smith (K)
Boles	Ellis	McCluskey	Smith (P)
Boutwell	Erdreich	McDonald	Snell
Bowers	Falkenburg	McMillan	Stewart
Brassell	Fite	McNair	Stokes
Burgess	Flippo	Manley	Stubbs
Callahan	Gafford	Mathews	Therrell
Carnes	Goodwin	May	Timmons
Carter	Grainger	Meeks	Turner
Casey	Gray (F)	Merrill	Turnham
Cauthen	Grey (D)	Mims	Waggoner
Chesnut	Hale	Naramore	Waldrop
Collins	Hardin	Nettles	Wallace
Connell	Harris	O'Daniel	Warren
Coshatt	Headley	Owens	Weeks
Cottingham	Hearn	Parker	Williams
Crawford	Hill	Perloff	Wise
Cross	Hobbie	Porter	Wood
Crowe	Hughes	Pruitt	Wynot
Culver	Jackson	Reed (T)	

—99

And the bill, H. 921, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Barkett	Downing	Kinsey	Roberts
Barron	Drake	Lang	St. John
Bassett	Easters	Lutz	Slate
Benton	Edwards	McBride	Smith (K)
Boles	Ellis	McCluskey	Smith (P)
Boutwell	Erdreich	McDonald	Snell
Bowers	Falkenburg	McMillan	Stewart
Brassell	Fite	McNair	Stokes
Burgess	Flippo	Manley	Stubbs
Callahan	Gafford	Mathews	Therrell
Carnes	Goodwin	May	Timmons
Carter	Grainger	Meeks	Turner
Casey	Gray (F)	Merrill	Turnham
Cauthen	Grey (D)	Mims	Waggoner
Chesnut	Hale	Namamore	Waldrop
Collins	Hardin	Nettles	Wallace
Connell	Harris	O'Daniel	Warren
Coshatt	Headley	Owens	Weeks
Cottingham	Hearn	Parker	Williams
Crawford	Hill	Perloff	Wise
Cross	Hobbie	Porter	Wood
Crowe	Hughes	Pruitt	Wynot
Culver	Jackson	Reed (T)	

—99

And the bill:

H. 922. To provide an additional clerical allowance to the Circuit Clerk of Conecuh County such allowance to be payable out of the General Funds of the County.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Connell	Gafford	Lutz
Adams	Coshatt	Goodwin	McBride
Barkett	Cottingham	Grainger	McCluskey
Barron	Crawford	Gray (F)	McDonald
Bassett	Cross	Grey (D)	McMillan
Benton	Crowe	Hale	McNair
Boles	Culver	Hardin	Manley
Boutwell	Dill	Harris	Mathews
Bowers	Doss	Headley	May
Brassell	Downing	Hearn	Meeks
Burgess	Drake	Hill	Merrill
Callahan	Easters	Hobbie	Mims
Carnes	Edwards	Hughes	Namamore
Carter	Ellis	Jackson	Nettles
Casey	Erdreich	Jones (F)	O'Daniel
Cauthen	Falkenburg	King	Owens
Chesnut	Fite	Kinsey	Parker
Collins	Flippo	Lang	Perloff

REGULAR SESSION
13th Day

1101

Porter	Slate	Therrell	Warren
Pruitt	Smith (K)	Timmons	Weeks
Reed (T)	Smith (P)	Turner	Williams
Reid (R)	Snell	Turnham	Wise
Reynolds	Stewart	Waggoner	Wood
Roberts	Stokes	Waldrop	Wynot
St. John	Stubbs	Wallace	

—99

And the bill:

H. 923. To authorize the sheriff of Autauga County to collect and retain the fees and allowance prescribed by law for feeding prisoners, to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Barkett	Downing	Kinsey	Roberts
Barron	Drake	Lang	St. John
Bassett	Easters	Lutz	Slate
Benton	Edwards	McBride	Smith (K)
Boles	Ellis	McCluskey	Smith (P)
Boutwell	Erdreich	McDonald	Snell
Bowers	Falkenburg	McMillan	Stewart
Brassell	Fite	McNair	Stokes
Burgess	Flippo	Manley	Stubbs
Callahan	Gafford	Mathews	Therrell
Carnes	Goodwin	May	Timmons
Carter	Grainger	Meeks	Turner
Casey	Gray (F)	Merrill	Turnham
Cauthen	Grey (D)	Mims	Waggoner
Chesnut	Hale	Naramore	Waldrop
Collins	Hardin	Nettles	Wallace
Connell	Harris	O'Daniel	Warren
Coshatt	Headley	Owens	Weeks
Cottingham	Hearn	Parker	Williams
Crawford	Hill	Perloff	Wise
Cross	Hobbie	Porter	Wood
Crowe	Hughes	Pruitt	Wynot
Culver	Jackson	Reed (T)	

—99

And the bill:

H. 715. Relating to Coffee County, Alabama: Prohibiting any bank located in Coffee County from moving its home office or principal place of business from the municipality in which it was originally established to any other location within the said county outside the limits of the municipality in which it was originally established.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Barron	Boles	Brassell
Adams	Bassett	Boutwell	Burgess
Barkett	Benton	Bowers	Callahan

13th Day

Carnes	Fite	McCluskey	St. John
Carter	Flippo	McDonald	Slate
Casey	Gafford	McMillan	Smith (K)
Cauthen	Goodwin	McNair	Smith (P)
Chesnut	Grainger	Manley	Snell
Collins	Gray (F)	Mathews	Stewart
Connell	Grey (D)	May	Stokes
Coshatt	Hale	Meeks	Stubbs
Cottingham	Hardin	Merrill	Therrell
Crawford	Harris	Mims	Timmons
Cross	Headley	Naramore	Turner
Crowe	Hearn	Nettles	Turnham
Culver	Hill	O'Daniel	Waggoner
Dill	Hobbie	Owens	Waldrop
Doss	Hughes	Parker	Wallace
Downing	Jackson	Perloff	Warren
Drake	Jones (F)	Porter	Weeks
Easters	King	Pruitt	Williams
Edwards	Kinsey	Reed (T)	Wise
Ellis	Lang	Reid (R)	Wood
Erdreich	Lutz	Reynolds	Wynot
Falkenburg	McBride	Roberts	

—99

And the bill:

H. 1003. Relating to counties having a population of not less than 23,900 and not more than 24,450, according to the most recent federal decennial census; to provide for payment of an expense allowance to the judge of intermediate courts in such counties.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Barkett	Downing	Kinsey	Roberts
Barron	Drake	Lang	St. John
Bassett	Easters	Lutz	Slate
Benton	Edwards	McBride	Smith (K)
Boles	Ellis	McCluskey	Smith (P)
Boutwell	Erdreich	McDonald	Snell
Bowers	Falkenburg	McMillan	Stewart
Brassell	Fite	McNair	Stokes
Burgess	Flippo	Manley	Stubbs
Callahan	Gafford	Mathews	Therrell
Carnes	Goodwin	May	Timmons
Carter	Grainger	Meeks	Turner
Casey	Gray (F)	Merrill	Turnham
Cauthen	Grey (D)	Mims	Waggoner
Chesnut	Hale	Naramore	Waldrop
Collins	Hardin	Nettles	Wallace
Connell	Harris	O'Daniel	Warren
Coshatt	Headley	Owens	Weeks
Cottingham	Hearn	Parker	Williams
Crawford	Hill	Perloff	Wise
Cross	Hobbie	Porter	Wood
Crowe	Hughes	Pruitt	Wynot
Culver	Jackson	Reed (T)	

—99

REGULAR SESSION
13th Day

1103

And the bill:

H. 1015. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for appointment of bailiffs in the county courts of such counties.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Reid (R)
Adams	Doss	King	Reynolds
Barkett	Downing	Kinsey	Roberts
Barron	Drake	Lang	St. John
Bassett	Easters	Lutz	Slate
Benton	Edwards	McBride	Smith (K)
Boles	Ellis	McCluskey	Smith (P)
Boutwell	Erdreich	McDonald	Snell
Bowers	Falkenburg	McMillan	Stewart
Brassell	Fite	McNair	Stokes
Burgess	Flippo	Manley	Stubbs
Callahan	Gafford	Mathews	Therrell
Carnes	Goodwin	May	Timmons
Carter	Grainger	Meeks	Turner
Casey	Gray (F)	Merrill	Turnham
Cauthen	Grey (D)	Mims	Waggoner
Chesnut	Hale	Naramore	Waldrop
Collins	Hardin	Nettles	Wallace
Connell	Harris	O'Daniel	Warren
Coshatt	Headley	Owens	Weeks
Cottingham	Hearn	Parker	Williams
Crawford	Hill	Perloff	Wise
Cross	Hobbie	Porter	Wood
Crowe	Hughes	Pruitt	Wynot
Culver	Jackson	Reed (T)	

—99

And the bill:

H. 987. Relating to all counties having a population of not less than 13,000 nor more than 13,250, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Burgess	Cottingham	Edwards
Adams	Callahan	Crawford	Ellis
Barkett	Carnes	Cross	Erdreich
Barron	Carter	Crowe	Falkenburg
Bassett	Casey	Culver	Fite
Benton	Cauthen	Dill	Flippo
Boles	Chesnut	Doss	Gafford
Boutwell	Collins	Downing	Goodwin
Bowers	Connell	Drake	Grainger
Brassell	Coshatt	Easters	Gray (F)

Grey (D)	McBride	Parker	Stubbs
Hale	McCluskey	Perloff	Therrell
Hardin	McDonald	Porter	Timmons
Harris	McMillan	Pruitt	Turner
Headley	McNair	Reed (T)	Turnham
Hearn	Manley	Reid (R)	Waggoner
Hill	Mathews	Reynolds	Waldrop
Hobbie	May	Roberts	Wallace
Hughes	Meeks	St. John	Warren
Jackson	Merrill	Slate	Weeks
Jones (F)	Mims	Smith (K)	Williams
King	Naramore	Smith (P)	Wise
Kinsey	Nettles	Snell	Wood
Lang	O'Daniel	Stewart	Wynot
Lutz	Owens	Stokes	

—99

UNANIMOUS CONSENT GRANTED

Having inadvertently voted "Yea" on the bill, H. 715, Mr. Wise was granted unanimous consent for the Journal to show he intended to vote "Nay".

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 28. PAYING TRIBUTE TO THE LIFE OF MAMIE STODGHILL WITTMEIER.

Also:

H. J. R. 37. NAMING THE MATHEMATICS BUILDING AT AUBURN UNIVERSITY "THE WILLIAM VANN PARKER BUILDING."

Also:

H. J. R. 39. COMMENDING THE TASK FORCES THAT WORKED UNDER THE ALABAMA HEALTH STUDY COMMISSION.

Also:

H. J. R. 48. REQUESTING THE ADMINISTRATION TO LOOK INTO THE POSSIBILITY OF HAVING A BUS RUN FROM CRAMTON BOWL PARKING LOT TO THE STATE CAPITOL COMPLEX ON A FREQUENT SCHEDULE TO ALLEVIATE THE PARKING SITUATION.

Also:

H. J. R. 60. DESIGNATING A PORTION OF ALABAMA HIGHWAY 5 AS THE "JUDSON COLLEGE-MARION INSTITUTE HIGHWAY".

Also:

H. J. R. 71. LAMENTING TORNADO DAMAGE IN BIBB COUNTY.

Also:

H. J. R. 72. PLEDGING LEGISLATIVE SUPPORT TO TORNADO VICTIMS IN JEFFERSON AND SHELBY COUNTIES.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 92. SALUTE TO MALCOLM FANCHER AS NEWLY ELECTED PRESIDENT OF ALABAMA JAYCEES.

Also:

H. J. R. 93. COMMENDING THE GREATER TALLADEGA AREA CHAMBER OF COMMERCE FOR BEING AWARDED THE 1972 KEEP ALABAMA BEAUTIFUL AND LIVABLE AWARD.

Also:

H. J. R. 94. IN APPRECIATION OF THE SERVICE TO EDUCATION OF M. D. THORNTON OF MONTEVALLO.

Also:

H. J. R. 95. PROCLAIMING THE WEEK OF JUNE 17-23 "ALABAMA POULTRY PRODUCTS WEEK".

Also:

H. J. R. 98. OBSERVANCE OF FLAG DAY, JUNE 14, 1973.

Also:

H. J. R. 102. MOURNING THE DEATH OF CHARLES C. WILIAMS.

Also:

H. J. R. 103. MOURNING THE DEATH OF J. HARAN LOWE.

Also:

H. J. R. 105. THANKING SENATOR JOHN SPARKMAN FOR INTRODUCTION OF SENATE BILL 1772 WHICH PROVIDES AID TO IRON ORE MINERS WITH RED LUNG DISEASE AND THANKING SENATOR JIM ALLEN FOR HIS PLEDGE TO SUPPORT THE BILL. ALSO THANKING GOVERNOR GEORGE WALLACE FOR HIS STRONG SUPPORT FOR THIS BILL AND HIS CONCERN FOR THESE CITIZENS OF OUR GREAT STATE.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. McCorquodale:

H. J. R. 115.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Tuesday, June 26, 1973.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. McCorquodale to suspend the rules in order to bring up for immediate consideration the above and foregoing resolution, H. J. R. 115, was adopted.

Mr. Ellis offered the following amendment to the resolution:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn Monday, June 25, they adjourn to meet again on Tuesday, June 26, and when they adjourn on Tuesday, June 26, they adjourn to meet again on Tuesday, July 10, 1973.

AMENDMENT TABLED

On motion of Mr. Owens, the amendment was tabled.

Yeas 41; Nays 22.

Yeas:

Mr. Speaker	Crowe	Lang	Robertson
Bank	Dill	Lutz	St. John
Barron	Easters	Mims	Smith (K)
Bassett	Flipppo	Naramore	Smith (P)
Benton	Hale	Nettles	Snell
Bowers	Hardin	O'Daniel	Stokes
Brassell	Harris	Parker	Warren
Callahan	Hearn	Perloff	Weeks
Casey	Hill	Reynolds	Williams
Connell	Kinsey	Roberts	Wise
Crawford			

—41

Nays:

Messrs.:	Cauthen	Headley	Reid (R)
Adams	Chesnut	Jones (F)	Turnham
Agee	Coshatt	King	Waldrop
Barkett	Fite	McNair	Wallace
Burgess	Goodwin	Merrill	Wood
Carnes	Gray (F)	Porter	

—22

RESOLUTION ADOPTED

On motion of Mr. McCorquodale, the resolution, H. J. R. 115, was adopted.

UNFINISHED BUSINESS

The House then proceeded to the consideration of the Unfinished Business.

And the bill:

H. 203. To provide protection to policyholders and beneficiaries of insolvent insurers in receivership by establishing a priority of certain claims to be allowed by receivership courts so as to make policyholders and beneficiaries of such insurers preferred creditors; and to make further provision for protection of policyholders by authorizing receivers of such insurers to transfer to solvent insurers certain assets of receivership estates as consideration or as reserves for reinsurance of policies of insolvent insurers upon hearing and approval of the appropriate circuit court having jurisdiction of such case or cases; and to provide for priorities of claims among classes of policyholders and beneficiaries; and to relieve the receiver of any civil liability to creditors for acts performed pursuant to such court orders.

Having been postponed from the twelfth legislative day, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reed (T)
Adams	Dill	King	Reid (R)
Bank	Doss	Kinsey	Reynolds
Barkett	Drake	Lang	Roberts
Barron	Edwards	Lutz	St. John
Bassett	Ellis	McCluskey	Smith (K)
Benton	Erdreich	McCorquodale	Smith (P)
Boles	Falkenburg	McMillan	Snell
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Stubbs
Brassell	Gafford	May	Taylor
Burgess	Goodwin	Meeks	Therrell
Callahan	Grainger	Merrill	Timmons
Carnes	Gray (F)	Mims	Turner
Carter	Grey (D)	Naramore	Turnham
Casey	Hale	Nettles	Waggoner
Chesnut	Hardin	O'Daniel	Waldrop
Collins	Harris	Owens	Wallace
Connell	Headley	Parker	Weeks
Coshatt	Hill	Perloff	Williams
Cottingham	Hughes	Porter	Wise
Crawford	Jackson	Pruitt	Wood
Cross			

—89

BILLS ON THIRD READING RESUMED

And the bill:

H. 204. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems; to define the term "insurance holding company system" and certain other terms; to provide for and regulate the acquisition of subsidiaries of insurers; to regulate the acquisition of control of or

merger with domestic insurers; to provide for the filing of certain information with the Commissioner of Insurance; to prescribe grounds for approval of mergers and acquisitions; to provide for notice and hearing; to provide for exemptions; to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide for exemptions and disclaimers; to provide standards for material transactions between insurers and their affiliates; to regulate extraordinary dividends and distributions; to provide for examination by the Commissioner of Insurance with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Commissioner of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Commissioner of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the Act; to provide criminal penalties; to provide for receivership, revocation or suspension of license for violation of the Act; to provide for judicial review; to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

Was taken up.

H. 204 POSTPONED

On motion of Mr. Owens, the bill, H. 204, was postponed to the fifteenth legislative day.

And the bill:

H. 390. (With Substitute) (With Amendment): To amend Title 13, Section 350; to raise the age of "juvenile to 18".

Was taken up.

Mr. Lutz offered the following substitute to the bill:

A BILL TO BE ENTITLED AN ACT

To amend Title 13, Chapter 7; to raise the age of juveniles to 18, for the purpose of juvenile court proceedings.

Be It Enacted by the Legislature of Alabama:

Section I. Title 13, Section 350, Code of Alabama, 1940, (recomp. 1958) shall be amended to read as follows: Section 350. DEFINITIONS—(1) For the purposes of this chapter the words "dependent child" shall mean any child, who, while under eighteen years of age, for any reason, is destitute, homeless, or is dependent on the public for support; or who is without a parent or guardian able to provide for his support, training and education; or whose custody is the subject of controversy. (2) The words "neglected child" shall mean any child, who, while under eighteen years of age is abandoned by both parents, or if one parent is dead, by the survivor, or by his guardian, or custodian; or who has no proper parental care or guardianship or whose home, by reason of neglect, cruelty, or depravity, on the part of his parent or parents, guardian or other person in whose care he may be, is an unfit or im-

proper place for such child; or who is found begging, receiving or gathering alms, or who is found in any street, road or public place for the purpose of so doing, whether actually begging or doing so under the pretext of selling or offering for sale any article or articles, or of singing or playing on any musical instrument, or of giving any public entertainment or accompanying or being used in aid of any person so doing; or for whom his parent, parents, guardian or custodian, neglect or refuse, when able to do so, or when such service is offered without charge, to provide, or allow, medical, surgical, or other care necessary for his health, or well-being; or whose parent, parents, guardian or custodian permits such child to engage in an occupation or calling contrary to the provisions of the child labor law of this state; or whose parent, parents, guardian or custodian fail, refuse or neglect to send such child to school in accordance with the terms of the compulsory attendance law of this state; or who is in such condition or surroundings, or is under such improper or insufficient guardianship or control as to endanger the morals, health or general welfare of such child; or who is not being reared or cared for in accordance with the provisions of any law, regulation or ordinance for the education, care and protection of children; or who for any other cause is in need of the care and protection of the state. (3) The words "delinquent child" shall mean any child who while under eighteen years of age violates any penal law of the United States or of this state, or any regulation, ordinance or law of any city, town or municipality, or who commits any offense or act for which an adult could be prosecuted in a method partaking of the nature of a criminal action or proceeding; or who is beyond the control of his parent, parents, guardian, or custodian, or who is otherwise incorrigible, or who is guilty of immoral conduct; or who is leading an idle, dissolute, lewd or immoral life; or who engages in any calling, occupation or exhibition punishable by law or is found in any place for permitting which an adult may be punished by law. (4) All such children, hereinabove described dependent, neglected or delinquent, shall be subject to the guardianship of the state and entitled to its care and protection. The state shall exercise its right of guardianship and control over such children in the manner and form hereinafter provided. (5) The word "court" and the words "juvenile court" when used in this chapter shall, unless otherwise qualified, mean the probate court of the county, sitting as the juvenile court, for the hearing of cases or the disposition of any matter arising under the provisions of this chapter. (6) the word "judge" or the words "judge of the juvenile court" shall, when used in this chapter, unless otherwise qualified, mean the judge of the probate court of the county sitting as the juvenile court for the hearing of cases or the disposition of any matter arising under the provisions of this chapter.

Section II. Title 13, Section 352, Code of Alabama, 1940, (recomp. 1958) shall be amended to read as follows: Section 352. TITLE OF PROCEEDINGS: PETITION: EXAMINATIONS AND SUMMONS; CUSTODY OR CHILD PENDING HEARING; SERVICE AND SUMMONS; WHEN SUMMONS UNNECESSARY; CONTEMPT; WHO SHALL SERVE PAPERS; WHEN RIGHTS BARRED.—(1) The style or title of the proceedings herein provided for shall be State of Alabama, in the matter of _____ (inserting name of child), a child under eighteen years of age, in the juvenile court of _____ county (inserting name of county). (2) Any person having knowledge or information that a child, residing in or who is actually within a county of this state, is within the provisions of this chapter, or subject to the jurisdiction of the juvenile court, may file with the court of said county a verified petition, setting forth the name, residence and age of the child, the name and residence of the parent or parents, if known to

the petitioner, and the name and residence of the person or persons having guardianship, custody, control, or supervision of such child, if such facts be known, or can be ascertained by the petitioner, or that such facts are unknown or cannot be ascertained, if that be the fact. The petition shall state the facts which bring the child within the provisions and terms of this chapter, and it shall be sufficient for that purpose to aver that the child named therein is dependent, neglected, or delinquent, as the case may be, and in need of the care and protection of this state (here stating succinctly the facts which bring said child within the terms and provisions as herein defined.) The petition shall be sworn to by the petitioner, but affidavit may be made upon information and belief of the affiant. (3) Upon the filing of the petition with the juvenile court, or upon receipt of an order of transfer from any other court, as hereinafter provided, the judge or clerk or chief probation officer of the court shall forthwith, or after causing an examination to be made by an officer or other person, cause a summons to be issued, signed by the judge or clerk of said court, requiring the child to appear before the court, and requiring the parents, guardian, or the person having the custody, control or supervision of the child, or the person with whom the child may be found, to appear with the child, at such time and place as may be stated in the summons, to show cause why the child should not be dealt with according to the provisions of this chapter. A failure of the parent, guardian or person having the custody or supervision of the child or the person with whom the child may be found, to appear before the court to show cause why the child should not be dealt with according to the provisions of this chapter shall not prevent the court from hearing the same. If after investigation is made, the chief probation officer is of the opinion that such cause is not a meritorious one, he may decline to ask the judge or clerk for a summons, and the court may upon his motion dismiss such petition, or order a summons issued as to the court may seem just. Said summons shall set forth the charges contained in said petition, or order of transfer. (4) If it appears from the petition that the child is violating any penal law of the United States or of this state, or any law or ordinance of any municipality for which an adult could be prosecuted, or that the child is in such condition that its welfare requires that custody be immediately assumed, the judge of the court may endorse upon the summons a direction that the officer serving said summons shall at once take said child into his custody. When any child is taken into custody under such summons, and is in the custody of the court under any order of transfer from any other court, such child may be released on his own recognizance, or be released into the custody of a probation officer, or of the parent or parents or of any other person or approved agency designated by the judge of said court. If in the discretion of the judge of said court, it is deemed inexpedient to release the child in the manner above set out, and if in the judgment of the court it is absolutely necessary, such child may be detained in such manner as the judge may order pending the hearing of the case. (5) Service of such summons upon the child mentioned therein shall be made by the delivery to and leaving with the father or mother of such child, or with the parent with which such child is living, or with the person in whose custody the child may be, a true copy thereof and when the summons so directs, by taking said child into custody by the officers serving same. When the summons is directed to the child and to such child's father or mother, or both, service of one copy on either parent if they be living together shall be sufficient service on all of them, or on the child and the parent with which such child is living. When such child has no parent or custodian upon whom such summons can be served, the court shall appoint a guardian ad litem for said child, upon whom such sum-

mons must be served, unless such service be waived in writing by said guardian ad litem. Service of such summons on the person, or persons, mentioned therein, other than the child, if residents of this state, and their place of residence is known, shall be made by delivery to and leaving with such other person, or persons, a true copy thereof. In the event that such other person or persons are nonresidents of the state, and their place of residence is known, it shall be sufficient service to deposit in a United States postoffice in such county a true copy of such summons, in a postpaid, sealed envelope addressed to such person or persons, at such address or addresses; but such service shall not be held to have been perfected, nor shall such case be called for hearing until a reasonable time has elapsed from the time of the posting of such summons, unless with the consent of such other person or persons, which consent may be shown by letter, telegraph, telephone, or in any other way satisfactory to the court. In the event that the names of the parent or parents, guardian, or those legally entitled to the custody of such child cannot be ascertained; or if their names being known their place or places of residence cannot be ascertained; or if for any other cause they cannot be found, or if for any other reason it shall appear that service of such summons cannot be had on such persons, as provided above—this being a proceeding on the part of the state to protect and care for such children—no service of a summons shall be necessary in such cases to give the court jurisdiction thereof. In the event that no service of summons is had for the reason set out above, it shall be the duty of the judge of such court, hearing such cases to satisfy himself that diligent effort has been made to ascertain the names and places of residence of the parent, parents, guardian or person or persons legally entitled to the custody of such children, before hearing such cases; and such judge may in any event order service by publication, as in other equity cases if in his opinion the cause of justice require, in which case, if there be no other means of meeting such expense, same shall be paid by the county in which such proceedings are had. (6) If the child mentioned in the summons be present in court at the time of the hearing, no summons to said child shall be necessary to give the court jurisdiction of such child. When the person named in the summons other than the child is present in court at the hearing, and for any of the reasons set out above has not been served with a copy of the summons, or when said child is in court, by reason of the violation of any law, federal, state, or municipal, service of the summons upon such other person named in the summons shall not be necessary to give the court jurisdiction; but if such other person be not present in court, and if for any of the reasons set out above has not been served with the summons, the court must appoint a probation officer, or some other discreet person, to act as guardian ad litem, to represent the interests of such child, and such guardian ad litem shall be present at the hearing of said case to represent said child. (7) The summons herein provided for shall be considered a mandate of the court, and wilful failure to obey its requirements shall subject any person guilty thereof to liability for punishment as for a contempt of court. (8) The sheriff of the county shall serve all papers directed by the juvenile court or judge thereof to be served by him, and a suitable allowance shall be made to him by the court of county commissioners, or board of revenue, or other governing body, of such county for his actual and necessary disbursements in effecting such services. However, all papers, summons, and processes issued from the juvenile court in such proceedings may be served by the police of any municipality or by any person selected by said court or by the judge thereof for that purpose. When engaged in serving such papers, summons, and processes, such persons so selected by the court or by the judge thereof shall have the authority of a

sheriff. (9) Should any person, who by reason of not having had any legal notice of such proceeding, have a legal right to be heard in such cause, such person shall, or must, assert such right by filing a petition in such cause setting out such right, and asking to be heard thereon, within ninety days from the rendition of the decree adjudging such child a dependent, neglected, or delinquent child, and such right, if any there be, shall or must be so asserted and within such time, or same shall be forever barred.

Section III. Title 13, Section 353, Code of Alabama, 1940, (recomp. 1958) shall be amended to read as follows: Section 353. JUVENILE COURTS, PRACTICE AND RULES OF; PRIVACY.—The juvenile court shall keep for the hearing of cases involving children under the age of eighteen years a docket which shall be separate and distinct from any other docket kept in said court; and the orders and decrees of the court relating to such cases shall be entered in a separate minute book. The court shall have the power, in the hearing of any case involving any child under the age of eighteen years, to exclude the general public from the room where said hearing is held, but shall admit thereto such persons as, in the judgment of the court, have a direct interest in the case. The records of all such cases shall be withheld from indiscriminate public inspection but such records shall, in the discretion and under the orders of the judge, be at all reasonable times open to inspection by the child, its parents, or guardian, its attorney, or attorney for its parent or guardian, and the state department of public welfare or its accredited agents. The hearing of all cases where children are involved shall be held at a different time from the hearing of other cases in the probate court. It shall be the duty of the judge of the court so to conduct the hearing as to disarm the fears of the child and to win its respect and confidence.

Section IV. Title 13, Section 360, Code of Alabama, 1940, (recomp. 1958) shall be amended to read as follows: Section 360. PROBATION OFFICERS, QUALIFICATIONS, APPOINTMENTS, POWER AND DUTIES, COMPENSATION, REMOVAL, COOPERATION OF INSTITUTIONS AND AGENCIES.—The juvenile court may appoint probation officers, who may be either men or women, of good moral character, intelligent and sympathetic with the aims and purposes of this chapter, from the candidates who have been certified by the state department of public welfare. The state department of public welfare shall prescribe reasonable standards of education, training and experience which must be attained by any applicant for the position of probation officer in any of the several juvenile courts of the state. The number of probation officers necessary for any juvenile court shall be determined by the judge and the advisory board or the county board of public welfare where established. The court of county commissioners, board of revenue, or other governing body of the county, shall pay such probation officers so appointed a reasonable salary to be determined by the judge, the advisory board, or county board of public welfare and the court of county commissioners, board of revenue, or other governing body of the county, acting jointly, but no paid probation officer shall be employed unless such probation officer shall have been certified by the state department of public welfare. Volunteer probation officers may be appointed in the same manner as paid probation officers. Such volunteer probation officers, when so appointed, shall have and exercise such powers and authority of paid probation officers as may be authorized by the court. Volunteer probation officers shall work subject to the direction of a paid probation officer, or the chief probation officer if there be such, if one be employed. No salary shall be paid out of public funds to any volunteer probation officer. Probation officers shall be

reimbursed for actual expenses incurred in making investigations and in transporting and caring for children as provided by law when such accounts are approved by the judge of said court. Probation officers shall make investigations, as the court may direct, either before or after hearing of the case of any child regarding whom a petition is filed or of any child under eighteen years of age as may be transferred from a court of criminal jurisdiction as hereinafter provided for; shall be present in the court in order to represent the interests of the child and to aid the court, when the case is heard; shall have under orders of the court the oversight and care of such children as may be committed by said court to their charge or supervision; and shall perform such other duties as the court may direct. Probation officers may file petition in the court in cases of any children alleged or believed to be dependent, neglected, or delinquent, or in need of the state's care and protection, and may bring charges against any person who aids or encourages any child to violate any law or ordinance, or any order of the court, or who contributes to the neglect, dependency, or delinquency of any child, or causes any child to become dependent, neglected or delinquent. Probation officers shall serve during the pleasure of the court and shall be removable by said court at any time. Paid probation officers shall have the power of sheriffs, and police officers, school attendance officers and child labor inspectors, anywhere within the state, for the purposes of this chapter, may serve any process authorized to be served by this chapter, and may make arrests in the execution of processes issued from the court. Such probation officers shall take and subscribe to the oath of office now required of other public officers before entering upon the discharge of their duties. It is the duty of every county or municipal officer to render to the court, its judges, and officers, such assistance and co-operation as shall be within his jurisdiction or power to further the objects of this chapter. All institutions, associations, or other custodial agencies, receiving or having in charge any child coming within the terms and provisions of this chapter, or to which any child may be committed under the provisions other than by final order of this chapter, are required to give to the court and to its officers any information, which, for the purposes of this chapter, may be required or requested by said court or the officers thereof.

Section V. Title 13, Section 363, Code of Alabama, 1940, (recomp. 1958) shall be amended to read as follows: Section 363. TRANSFERRING JURISDICTION: TRANSFERS TO THE JUVENILE COURT.—Nothing in this chapter shall be construed as forbidding the arrest, with or without warrant, of any child as is now or may hereafter be provided by law, or as forbidding the issuance of warrants by magistrates as provided by law. Whenever a child under eighteen years of age is brought before a magistrate of any court in the county other than the juvenile court, charged with any offense, such magistrate or court shall forthwith, by proper order, transfer the case to the juvenile court of the county. All information, depositions, warrants, and other processes in the hands of such magistrate or court shall be by him or by the judge of said court forthwith transmitted to the juvenile court and shall become a part of the records of the juvenile court. The juvenile court shall thereupon have jurisdiction of the cause and shall proceed to hear and determine the case so transferred to it, in the same manner as if the proceedings had been instituted in the juvenile court by petition as hereinbefore provided.

Section VI. All laws and all parts of laws which are in conflict with this Act are hereby repealed.

Section VII. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section VIII. That this Act shall become effective immediately upon its passage by the Legislature and signing by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reed (T)
Adams	Dill	King	Reynolds
Barkett	Doss	Kinsey	Roberts
Barron	Drake	Lutz	St. John
Bassett	Edwards	McBride	Smith (K)
Benton	Ellis	McDonald	Snell
Boles	Erdreich	McMillan	Stewart
Boutwell	Falkenburg	McNair	Stokes
Bowers	Fite	Manley	Taylor
Brassell	Flippo	Mathews	Therrell
Callahan	Gafford	May	Timmons
Carnes	Grainger	Meeks	Turner
Carter	Gray (F)	Merrill	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Connell	Harris	O'Daniel	Wallace
Coshatt	Hill	Owens	Warren
Cottingham	Hobbie	Parker	Weeks
Crawford	Hughes	Perloff	Williams
Cross	Jackson	Porter	

—79

Mr. Lutz offered the following amendment to the bill, H. 390 as amended:

Amend H. B. 390 by inserting the following Section VI and renumbering subsequent sections accordingly:

“Section VI. Nothing in this Act shall be construed to confer jurisdiction on a juvenile court to hear and determine cases arising under any of the provisions of Alabama Code, Title 23 or Title 36. Provided, however, that any criminal court or any court exercising criminal jurisdiction before which a child under the age of eighteen years is brought, charged with the commission of an offense under Alabama Code. Title 23 or Title 36, shall have authority, if such court shall deem it to be in the interest of justice and of the public welfare, to transfer such child by proper order to the juvenile court of said county to be dealt with as a delinquent child under the terms of this chapter.”

And the amendment was adopted.

Yeas 78; Nays 4.

Yeas:

Messrs.:	Barron	Boutwell	Carnes
Adams	Bassett	Bowers	Carter
Bank	Benton	Brassell	Casey
Barkett	Boles	Callahan	Cauthen

REGULAR SESSION
13th Day

1115

Chesnut	Grainger	McDonald	Snell
Connell	Gray (F)	McMillan	Stewart
Coshatt	Hale	McNair	Stokes
Cottingham	Hardin	Manley	Taylor
Crawford	Harris	May	Therrell
Cross	Hearn	Meeks	Timmons
Culver	Hill	Merrill	Turner
Dill	Hobbie	Naramore	Turnham
Doss	Hughes	Nettles	Waggoner
Drake	Jackson	O'Daniel	Waldrop
Ellis	Jones (F)	Parker	Wallace
Erdreich	King	Perloff	Weeks
Falkenburg	Kinsey	Porter	Williams
Fite	Lutz	Reynolds	Wise
Flippo	McBride	Roberts	Wynot
Goodwin	McCorquodale	Smith (K)	

—78

Nays:

Mr. Speaker	McCluskey	St. John	Smith (P)
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—4

MOTION TO POSTPONE TABLED

On motion of Mr. Lutz, the motion of Mr. Wood to postpone the bill, H. 390 as amended, to the fifteenth legislative day was tabled.

Yeas 50; Nays 40

Yeas:

Messrs.:	Chesnut	Harris	Merrill
Adams	Coshatt	Hearn	Perloff
Adwell	Cottingham	Hill	Smith (K)
Bank	Cross	Hobbie	Smith (P)
Barron	Culver	Hughes	Stewart
Benton	Edwards	Jones (F)	Taylor
Boutwell	Erdreich	King	Turner
Bowers	Falkenburg	Kinsey	Turnham
Brassell	Flippo	Lutz	Waldrop
Carnes	Grainger	McCluskey	Weeks
Carter	Gray (F)	McMillan	Williams
Casey	Hale	Manley	Wise
Cauthen	Hardin	Meeks	

—50

Nays:

Mr. Speaker	Dill	McDonald	Roberts
Barkett	Doss	McNair	St. John
Bassett	Drake	May	Stokes
Boles	Easters	Mims	Stubbs
Burgess	Fite	Naramore	Therrell
Callahan	Goodwin	Nettles	Timmons
Collins	Grey (D)	Owens	Waggoner
Connell	Jackson	Parker	Warren
Crawford	Lang	Reid (R)	Wood
Crowe	McBride	Reynolds	Wynot

—40

MOTION TO POSTPONE TABLED

On motion of Mr. Lutz, the motion of Mr. Collins to postpone the bill, H. 390 as amended, to the sixteenth legislative day was tabled.

Yeas 54; Nays 28.

Yeas:

Messrs.:	Cross	Hobbie	Perloff
Adams	Culver	Hughes	Smith (K)
Adwell	Dill	Jones (F)	Smith (P)
Barkett	Easters	King	Stewart
Barron	Erdreich	Kinsey	Taylor
Benton	Falkenburg	Lutz	Timmons
Boutwell	Flippo	McBride	Turner
Bowers	Goodwin	McCluskey	Waldrop
Carnes	Grainger	McCorquodale	Wallace
Carter	Gray (F)	McMillan	Weeks
Casey	Hale	McNair	Williams
Cauthen	Hardin	Manley	Wise
Coshatt	Harris	Meeks	Wynot
Cottingham	Hill	Merrill	

—54

Nays:

Mr. Speaker	Crawford	McDonald	Reynolds
Bassett	Crowe	Mims	Robertson
Boles	Drake	Naramore	St. John
Callahan	Ellis	Nettles	Stokes
Chesnut	Fite	Owens	Therrell
Collins	Hearn	Parker	Warren
Connell	Jackson	Porter	Wood

—28

Messrs. Drake, Fite, St. John, McDonald, Reid (R) and Grey (D) offered the following amendment to the bill, H. 390 as amended:

This act shall not apply in Cullman, Blount, Marshall, Winston, Fayette, Marion, Colbert, Franklin, Tuscaloosa, Mobile, Lawrence, Walker, Cherokee, Autauga, Lowndes, Choctaw, Clark, Washington, Dale, Coffee, Houston, Henry, Pickens, Green, Pike, Monroe, Wilcox, Conecuh, Geneva, Hale, Bibb, Shelby, Lamar, Clay, Coosa, Limestone, DeKalb, Chilton, Calhoun, Lee, Russell and Covington.

MOTION TO TABLE LOST

The motion of Mr. Lutz to table the amendment offered by Messrs. Drake, Fite, St. John, McDonald, Reid (R) and Grey (D) to the bill, H. 390 as amended, was lost.

Yeas 40; Nays 44.

Yeas:

Messrs.:	Erdreich	Jones (F)	Roberts
Bank	Falkenburg	King	Stewart
Barron	Flippo	Lutz	Stokes
Benton	Grainger	McCluskey	Taylor
Boutwell	Gray (F)	McMillan	Timmons
Carnes	Hale	McNair	Turner
Cauthen	Harris	Manley	Waldrop
Cottingham	Hearn	Meeks	Wallace
Culver	Hobbie	Merrill	Weeks
Dill	Hughes	Perloff	Wynot
Ellis			

—40

REGULAR SESSION
13th Day

1117

Nays:

Mr. Speaker	Collins	Headley	Reid (R)
Adams	Connell	Jackson	Reynolds
Agee	Crawford	Lang	Robertson
Barkett	Cross	McCorquodale	St. John
Bassett	Crowe	McDonald	Stubbs
Brassell	Drake	May	Therrell
Burgess	Easters	Naramore	Turnham
Callahan	Edwards	Nettles	Warren
Carter	Fite	Owens	Williams
Casey	Goodwin	Parker	Wise
Chesnut	Grey (D)	Pruitt	Wood

—44

MOTION TO POSTPONE

Mr. Lutz offered the motion to postpone the bill, H. 390 as amended, to the fourteenth legislative day.

SUBSTITUTE MOTION LOST

The substitute motion offered by Mr. Burgess that the bill, H. 390 as amended, be indefinitely postponed was lost.

Yeas 37; Nays 53.

Yeas:

Mr. Speaker	Cross	McCluskey	Robertson
Agee	Crowe	McDonald	St. John
Barkett	Drake	Mims	Smith (P)
Brassell	Easters	Naramore	Stokes
Burgess	Edwards	Nettles	Stubbs
Callahan	Fite	Owens	Turner
Chesnut	Goodwin	Porter	Waggoner
Collins	Headley	Reynolds	Warren
Connell	Jackson	Roberts	Wood
Crawford			

—37

Nays:

Messrs.:	Culver	Hobbie	Perloff
Adams	Dill	Hughes	Pruitt
Adwell	Doss	Jones (F)	Smith (K)
Bank	Ellis	King	Stewart
Barron	Erdreich	Kinsey	Taylor
Benton	Falkenburg	Lang	Therrell
Boutwell	Flippo	Lutz	Timmons
Bowers	Grainger	McBride	Turnham
Carnes	Gray (F)	McCorquodale	Waldrop
Carter	Hale	McMillan	Wallace
Casey	Hardin	Meeks	Weeks
Cauthen	Harris	Merrill	Williams
Coshatt	Hearn	Parker	Wynot
Cottingham	Hill		

—53

MOTION TO POSTPONE ADOPTED

The question was then on the motion offered by Mr. Lutz that the bill, H. 390 as amended, be postponed to the fourteenth legislative day, and the motion was adopted.

And the bill:

H. 110. Relating to crimes and offenses; amending further Section 420, Title 14, Code of Alabama 1940, which prohibits certain acts on Sunday.

Having been postponed from the twelfth legislative day, was taken up.

H. 110 POSTPONED

On motion of Mr. Gafford, the bill, H. 110 was postponed to the fourteenth legislative day.

And the bill:

H. 118. (With Amendment): To authorize and permit teachers who have retired under the Teachers' Retirement Act to perform duties in the Public Schools of Alabama when they are physically and mentally able to do so in the opinion of the employing authority, to prescribe the limitations therefor and to repeal Act #738 of the 1969 Regular Session of the Legislature.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Education, said Committee amendment being as follows:

Amend H. B. 118, Section 1 by adding in line three after the word "capacity" the following words: "provided, however, that under no circumstances shall any retired teacher employed under the terms of this Act be employed in a full-time capacity or replace a full-time teacher."

And the amendment was adopted.

Yeas 90; Nays 1.

Yeas:

Mr. Speaker	Doss	Jones (F)	Reid (R)
Adams	Drake	King	Reynolds
Agee	Easters	Kinsey	Roberts
Bank	Edwards	Lang	Robertson
Barkett	Ellis	McBride	St. John
Barron	Erdreich	McCluskey	Smith (K)
Bassett	Falkenburg	McCorquodale	Smith (P)
Benton	Fite	McDonald	Snell
Boles	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Brassell	Goodwin	Manley	Stubbs
Burgess	Grainger	Meeks	Taylor
Carnes	Gray (F)	Merrill	Therrell
Carter	Grey (D)	Mims	Timmons
Casey	Hale	Naramore	Turner
Collins	Hardin	Nettles	Turnham
Connell	Harris	O'Daniel	Waggoner
Coshatt	Headley	Owens	Waldrop
Cottingham	Hearn	Parker	Wallace
Crawford	Hill	Porter	Warren
Cross	Hobbie	Pruitt	Weeks
Crowe	Hughes	Reed (T)	Williams
Culver	Jackson		

—90

Nay: Mr. Dill.

—1

REGULAR SESSION

1119

13th Day

CO-SPONSOR ADDED

On motion of Mr. Reid (R), unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 118 as amended.

Mr. Adams offered the following amendment to the bill, H. 118 as amended:

In the synopsis, in the title, in Section 1 and in Section 2 of the bill strike out the words "Public Schools of Alabama" wherever they appear and insert in lieu thereof the following: Public schools of Alabama and any state supported institution of higher learning.

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Doss	Jones (F)	Reed (T)
Adams	Drake	King	Reid (R)
Bank	Easters	Kinsey	Reynolds
Barkett	Edwards	Lang	Robertson
Barron	Ellis	Lutz	St. John
Bassett	Erdreich	McBride	Smith (K)
Benton	Falkenburg	McCluskey	Smith (P)
Boutwell	Fite	McCorquodale	Snell
Bowers	Flippo	McDonald	Stewart
Brassell	Gafford	McMillan	Stokes
Burgess	Goodwin	McNair	Stubbs
Carnes	Grainger	Manley	Taylor
Carter	Gray (F)	May	Therrell
Casey	Grey (D)	Meeks	Timmons
Cauthen	Hale	Merrill	Turner
Collins	Hardin	Mims	Turnham
Connell	Harris	Naramore	Waggoner
Coshatt	Headley	Nettles	Waldrop
Cottingham	Hearn	O'Daniel	Wallace
Crawford	Hill	Owens	Warren
Cross	Hobbie	Parker	Weeks
Culver	Hughes	Porter	Williams
Dill	Jackson	Pruitt	Wynot

—92

And the bill:

H. 118. To authorize and permit teachers who have retired under the Teachers' Retirement Act to perform duties in the Public schools of Alabama and any state supported institution of higher learning when they are physically and mentally able to do so in the opinion of the employing authority, to prescribe the limitations therefor and to repeal Act No. 738 of the 1969 Regular Session of the Legislature.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 1.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

13th Day

Burgess	Flippo	McCluskey	Robertson
Carnes	Gafford	McCorquodale	St. John
Carter	Goodwin	McDonald	Smith (K)
Casey	Grainger	McMillan	Smith (P)
Cauthen	Gray (F)	McNair	Snell
Collins	Grey (D)	Manley	Stewart
Connell	Ha.e	May	Stokes
Coshatt	Hardin	Meeks	Stubbs
Cottingham	Harris	Merrill	Taylor
Crawford	Headley	Mims	Therrell
Cross	Hearn	Naramore	Turner
Crowe	Hill	Nettles	Turnham
Culver	Hobbie	O'Daniel	Waggoner
Doss	Hughes	Owens	Waldrop
Drake	Jackson	Parker	Wallace
Easters	Jones (F)	Porter	Warren
Edwards	King	Pruitt	Weeks
Ellis	Kinsey	Reed (T)	Williams
Erdreich	Lang	Reid (R)	Wise
Falkenburg	Lutz	Reynolds	Wynot
Fite	McBride	Roberts	

—95

Nay: Mr. Dill.

—1

And the bill:

H. 206. To amend Section 333 of Title 52 of the Code of Alabama, Recompiled 1958 and 1969, which provides for the charging of a fee for the issuance of teacher certificates and sets the amount of the fee and for the repeal of Section 350 of Title 52, Code of Alabama, Recompiled 1958 and 1969, providing for the disposition of fees paid by the applicants for teachers certificates.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 4.

Yeas:

Messrs.:	Crowe	Jackson	Reed (T)
Adams	Culver	Jones (F)	Reid (R)
Bank	Doss	King	Reynolds
Barkett	Drake	Lang	St. John
Barron	Easters	Lutz	Smith (K)
Benton	Edwards	McBride	Smith (P)
Boles	Ellis	McCluskey	Snell
Boutwell	Erdreich	McCorquodale	Stewart
Bowers	Falkenburg	McDonald	Stokes
Brassell	Fite	McMillan	Stubbs
Burgess	Flippo	Manley	Taylor
Carnes	Gafford	May	Therrell
Carter	Goodwin	Meeks	Timmons
Casey	Grainger	Merrill	Turner
Cauthen	Gray (F)	Mims	Turnham
Chesnut	Hardin	Naramore	Waggoner
Collins	Harris	Nettles	Waldrop
Connell	Headley	O'Daniel	Wallace
Coshatt	Hearn	Owens	Warren
Cottingham	Hill	Parker	Weeks
Crawford	Hobbie	Porter	Wynot
Cross	Hughes	Pruitt	

—86

REGULAR SESSION
13th Day

1121

Nays:

Messrs.:	Grey (D)	Hale	Robertson	—4
Dill				

And the bill:

H. 783. (With Amendment): To amend Code of Alabama 1940, Title 52, Section 41, as amended, which section relates to the appointment, term, qualifications and salary of the state superintendent of education, so as to further regulate the salary of said superintendent and to authorize the state board of education to negotiate and enter into a contract with said superintendent for a certain term.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Education, said Committee amendment being as follows:

Amend Section 1 of H. B. 783 by striking the words "a term of four (4) years" and adding in lieu thereof "a term of a minimum of two (2) years and a maximum of four (4) years".

MOTION TO POSTPONE

Mr. Bank offered the motion that the bill, H. 783 with pending amendment, be postponed to the thirty-fifth legislative day.

SUBSTITUTE MOTION OFFERED

Mr. Robertson offered the substitute motion that the bill, H. 783 with pending amendment, be postponed to the fourteenth legislative day.

MOTION TO TABLE LOST

The motion of Mr. McBride to table the substitute motion offered by Mr. Robertson was lost.

Yeas 42; Nays 45.

Yeas:

Messrs.:	Crowe	King	Reed (T)
Adams	Culver	Lang	Reynolds
Agee	Dill	Lutz	Snell
Bank	Doss	McBride	Timmons
Barron	Drake	McCluskey	Turner
Bassett	Easters	McDonald	Turnham
Boles	Ellis	McMillan	Waggoner
Boutwell	Gafford	May	Waldrop
Carnes	Goodwin	Nettles	Wallace
Cottingham	Grainger	O'Daniel	Weeks
Cross	Hardin	Parker	

—42

Nays:

Messrs.:	Burgess	Cauthen	Connell
Benton	Callahan	Chesnut	Coshatt
Brassell	Carter	Collins	Crawford

13th Day

Edwards	Hearn	Merrill	Stewart
Erdreich	Hobbie	Owens	Stokes
Falkenburg	Hughes	Perloff	Stubbs
Fite	Jackson	Pruitt	Therrell
Flippo	Jones (F)	Roberts	Warren
Gray (F)	Kinsey	Robertson	Williams
Hale	McNair	St. John	Wise
Harris	Manley	Smith (K)	Wynot
Headley	Meeks		

—45

SUBSTITUTE MOTION LOST

The question was then on the substitute motion offered by Mr. Robertson, that the bill, H. 783 with pending amendment, be postponed to the fourteenth legislative day, and the substitute motion was lost.

Yeas 36; Nays 50.

Yeas:

Messrs.:	Coshatt	Gray (F)	Owens
Agee	Cottingham	Headley	Parker
Barkett	Crawford	Hughes	Perloff
Barron	Crowe	Jackson	Porter
Boles	Dill	Kinsey	Roberts
Brassell	Edwards	McDonald	Stokes
Carter	Erdreich	McNair	Stubbs
Chesnut	Falkenburg	Meeks	Therrell
Collins	Fite	O'Daniel	Williams
Connell			

—36

Nays:

Messrs.:	Doss	Hobbie	St. John
Adams	Drake	Jones (F)	Snell
Adwell	Easters	King	Stewart
Bank	Ellis	Lang	Timmons
Bassett	Flippo	Lutz	Turner
Benton	Gafford	McBride	Turnham
Boutwell	Goodwin	McCluskey	Waggoner
Burgess	Grainger	McMillan	Waldrop
Callahan	Hale	May	Wallace
Carnes	Hardin	Merrill	Warren
Cauthen	Harris	Nettles	Weeks
Cross	Hearn	Pruitt	Wynot
Culver	Hill	Reynolds	

—50

MOTION WITHDRAWN

Mr. Bank, then, withdrew his motion that the bill, H. 783 with pending amendment, be postponed to the thirty-fifth legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the Resolution:

S. J. R. 55. Requesting the Examiners of Public Accounts to examine all state leases.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 92. Salute to Malcolm Fancher as newly elected President of Alabama Jaycees.

Also:

H. J. R. 93. Commending the Greater Talladega Area Chamber of Commerce for being awarded the 1972 Keep Alabama Beautiful and Livable Award.

Also:

H. J. R. 94. In appreciation of the service to education of M. D. Thornton of Montevallo.

Also:

H. J. R. 95. Declaring June 17-23 "Alabama Poultry Products Week".

Also:

H. J. R. 98. Relative to observance of Flag Day, June 14, 1973.

Also:

H. J. R. 102. Mourning the death of Charles C. Williams.

Also:

H. J. R. 103. Mourning the death of J. Haran Lowe.

Also:

H. J. R. 105. Requesting the President and Congress to support Senator John Sparkman's Senate Bill 1772, providing benefits for iron ore miners suffering from red lung disease and their widows.

Also:

H. J. R. 28. Paying tribute to the life of Mamie Stodghill Wittmeier.

Also:

H. J. R. 37. Designating the mathematics building in the Physical Science Center at Auburn University "The William Vann Parker Building" in honor of Dr. William Vann Parker.

Also:

H. J. R. 39. Commending the task forces that worked under the Alabama Health Study Commission.

Also:

H. J. R. 48. Requesting the Administration to look into the possibility of having a bus run from Cramton Bowl parking lot to the State Capital complex on a frequent schedule to alleviate the parking situation.

Also:

H. J. R. 60. Designating a portion of Alabama Highway 5 as the "Judson College-Marion Institute Highway".

Also:

H. J. R. 71. Lamenting tornado damage in Bibb County.

Also:

H. J. R. 72. Pledging support to the people of Jefferson and Shelby Counties in the loss of property and life caused by tornadoes on Sunday, May 27.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

H. 1046 RE-REFERRED

On motion of Mr. McCorquodale to re-refer, the bill, H. 1046, was re-referred from the Standing Committee on Ways and Means to the Standing Committee on Judiciary.

H. 783 RESUMED

The question was then on the amendment reported by the Standing Committee on Education.

SUBSTITUTE AMENDMENT OFFERED

Mr. Cauthen offered the following substitute amendment:

Amend Section 1 of H. 783 by striking therefrom the words and figures "for a term of 4 years" and by substituting in lieu thereof the words, "and shall serve at the pleasure of the state board of education."

MOTION TO TABLE LOST

The motion of Mr. McBride to table the substitute amendment offered by Mr. Cauthen was lost.

REGULAR SESSION
13th Day

1125

Yeas 35; Nays 42.

Yeas:

Messrs.:	Erdreich	McBride	Stokes
Adwell	Falkenburg	McCluskey	Timmons
Barron	Goodwin	McDonald	Turnham
Benton	Hearn	McNair	Waggoner
Boles	Hill	Mims	Waldrop
Boutwell	Hobbie	Parker	Wallace
Carnes	Jones (F)	Perloff	Weeks
Doss	King	Reed (T)	Wise
Ellis	Lang	Reid (R)	Wynot

—35

Nays:

Messrs.:	Cottingham	Hughes	Pruitt
Bank	Crawford	Jackson	Reynolds
Barkett	Cross	Kinsey	Roberts
Bassett	Culver	Lutz	St. John
Burgess	Drake	McMillan	Smith (K)
Carter	Easters	Meeks	Taylor
Casey	Fite	Merrill	Therrell
Cauthen	Grainger	Naramore	Turner
Chesnut	Gray (F)	Nettles	Warren
Connell	Hardin	Owens	Williams
Coshatt	Harris	Porter	

—42

SUBSTITUTE AMENDMENT ADOPTED

The question was then on the adoption of the substitute amendment offered by Mr. Cauthen to the bill, H. 783, and the substitute amendment was adopted.

Yeas 49; Nays 34.

Yeas:

Messrs.:	Cottingham	Jones (F)	Perloff
Bank	Crawford	Lang	Porter
Barkett	Cross	Lutz	Pruitt
Bassett	Culver	McMillan	Reynolds
Bowers	Drake	Manley	Roberts
Burgess	Easters	Meeks	St. John
Carter	Edwards	Merrill	Smith (K)
Casey	Fite	Mims	Taylor
Cauthen	Grainger	Naramore	Therrell
Chesnut	Gray (F)	Nettles	Turner
Collins	Hardin	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Hughes		

—49

Nays:

Messrs.:	Erdreich	Kinsey	Timmons
Barron	Falkenburg	McBride	Turnham
Benton	Gafford	McCluskey	Waggoner
Boutwell	Goodwin	McDonald	Waldrop
Callahan	Hale	Parker	Wallace
Carnes	Hearn	Reed (T)	Weeks
Dill	Hill	Reid (R)	Wise
Doss	Hobbie	Robertson	Wynot
Ellis	King	Stokes	

—34

Mr. St. John offered the following amendment to the bill, H. 783 as amended:

Change the figure \$35,000.00 where it appears in said bill to read \$24,500.00.

AMENDMENT TABLED

On motion of Mr. McBride the amendment was tabled.

Yeas 46; Nays 38.

Yeas:

Messrs.:	Falkenburg	McBride	Stokes
Barron	Gafford	McCluskey	Taylor
Boles	Goodwin	McDonald	Therrell
Boutwell	Grainger	McMillan	Timmons
Bowers	Hale	McNair	Turner
Callahan	Harris	Nettles	Turnham
Carnes	Hill	Perloff	Waggoner
Chesnut	Jones (F)	Porter	Waldrop
Collins	King	Reed (T)	Wallace
Connell	Kinsey	Reynolds	Weeks
Cottingham	Lang	Roberts	Wynot
Ellis	Lutz	Robertson	

—46

Nays:

Messrs.:	Cauthen	Hardin	Parker
Adams	Coshatt	Hobbie	Pruitt
Adwell	Crawford	Hughes	St. John
Bank	Cross	Jackson	Smith (K)
Barkett	Culver	Manley	Stewart
Bassett	Doss	Meeks	Warren
Benton	Drake	Merrill	Williams
Brassell	Easters	Mims	Wise
Burgess	Edwards	Naramore	Wood
Carter	Fite	Owens	

—38

Mr. Boles offered the following amendment to the bill, H. 783 as amended:

State Superintendent shall not be paid a salary larger than that of the highest paid salary of any of the presidents of our four year institutions.

AMENDMENT TABLED

On motion of Mr. Bank, the amendment was tabled.

Yeas 54; Nays 25.

Yeas:

Messrs.:	Brassell	Coshatt	Edwards
Adams	Carnes	Crawford	Ellis
Bank	Carter	Cross	Erdreich
Barkett	Casey	Culver	Falkenburg
Benton	Cauthen	Drake	Fite
Boutwell	Connell	Easters	Flippo

REGULAR SESSION
13th Day

1127

Grainger	Jones (F)	Meeks	Smith (K)
Hale	King	Merrill	Stewart
Hardin	Lang	Mims	Taylor
Harris	Lutz	Naramore	Therrell
Hill	McCluskey	Nettles	Warren
Hobbie	McMillan	Parker	Williams
Hughes	McNair	Pruitt	Wise
Jackson	Manley	St. John	

—54

Nays:

Messrs.:	Chesnut	McDonald	Timmons
Adwell	Dill	Porter	Turnham
Barron	Doss	Reid (R)	Waggoner
Bassett	Gafford	Reynolds	Waldrop
Boles	Goodwin	Robertson	Wallace
Bowers	Kinsey	Stokes	Weeks
Callahan	McBride		

—25

MOTION TO POSTPONE TABLED

On motion of Mr. McBride, the motion offered by Mr. Bank to postpone the bill, H. 783 as amended, to the thirty-fifth legislative day was tabled.

Yeas 53; Nays 35.

Yeas:

Messrs.:	Crowe	Kinsey	Reid (R)
Adams	Dill	Lutz	Roberts
Adwell	Doss	McBride	Robertson
Barron	Ellis	McCluskey	Smith (K)
Bassett	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Therrell
Boutwell	Flippo	McNair	Timmons
Bowers	Gafford	May	Turnham
Callahan	Goodwin	Nettles	Waggoner
Carnes	Grainger	Parker	Waldrop
Cauthen	Grey (D)	Perloff	Wallace
Chesnut	Hale	Porter	Weeks
Connell	Hill	Reed (T)	Wynot
Cottingham	King		

—53

Nays:

Messrs.:	Cross	Hobbie	Pruitt
Agee	Culver	Hughes	St. John
Bank	Drake	Jackson	Stewart
Barkett	Easters	Jones (F)	Stubbs
Benton	Edwards	Lang	Taylor
Burgess	Fite	Manley	Turner
Carter	Hardin	Merrill	Warren
Casey	Harris	Naramore	Williams
Crawford	Headley	Owens	Wood

—35

Mr. Manley offered the following amendment to the bill, H. 783 as amended:

Amend H. B. 783 by changing the figure \$35,000.00 where it appears in said bill to read \$27,000.00.

And the amendment was adopted.

Yeas 84; Nays 12.

Yeas:

Messrs.:	Cross	Hughes	Porter
Adams	Crowe	Jackson	Pruitt
Agee	Doss	King	Reed (T)
Bank	Drake	Kinsey	Reid (R)
Barkett	Easters	Lang	Reynolds
Barron	Edwards	Lutz	Robertson
Bassett	Ellis	McBride	St. John
Boles	Erdreich	McCluskey	Smith (K)
Bowers	Falkenburg	McDonald	Smith (P)
Brassell	Fite	McMillan	Stewart
Burgess	Flippo	Manley	Stokes
Callahan	Gafford	Mathews	Stubbs
Carnes	Goodwin	May	Therrell
Carter	Grainger	Meeks	Turnham
Casey	Gray (F)	Merrill	Waggoner
Cauthen	Gray (D)	Mims	Waldrop
Chesnut	Hale	Naramore	Wallace
Collins	Harris	O'Daniel	Warren
Connell	Headley	Owens	Weeks
Coshatt	Hearn	Parker	Williams
Cottingham	Hill	Perloff	Wynot
Crawford			

—84

Nays:

Messrs.:	Hardin	McNair	Timmons
Boutwell	Hobbie	Nettles	Turner
Culver	Jones (F)	Taylor	Wood
Dill			

—12

And the bill, H. 783 as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 19.

Yeas:

Messrs.:	Dill	Kinsey	Reid (R)
Adams	Doss	Lang	Reynolds
Adwell	Drake	Lutz	Roberts
Agee	Edwards	McBride	Robertson
Bank	Ellis	McCluskey	St. John
Barron	Erdreich	McDonald	Smith (K)
Bassett	Falkenburg	McMillan	Stewart
Boles	Fite	Manley	Stokes
Boutwell	Flippo	Mathews	Stubbs
Bowers	Gafford	May	Therrell
Brassell	Goodwin	Meeks	Timmons
Callahan	Grainger	Mims	Turnham
Casey	Gray (F)	Naramore	Waggoner
Cauthen	Gray (D)	Nettles	Waldrop
Chesnut	Hale	O'Daniel	Wallace
Collins	Headley	Owens	Weeks
Coshatt	Hearn	Parker	Williams
Cross	Hill	Porter	Wood
Crowe	Hughes	Reed (T)	Wynot
Culver	King		

—77

REGULAR SESSION
13th Day

1129

Nays:

Messrs.:	Carter	Hardin	Merrill
Barkett	Connell	Harris	Taylor
Benton	Cottingham	Hobbie	Turner
Burgess	Crawford	Jackson	Warren
Carnes	Easters	Jones (F)	Wise

—19

MOTION TO SUSPEND RULES LOST

The motion of Mr. Robertson to suspend the rules in order to bring up out of order the bills, H. 269 and H. 270, was lost lacking a four-fifths vote.

Yeas 50; Nays 44.

Yeas:

Mr. Speaker	Downing	Mathews	Smith (K)
Bank	Drake	May	Smith (P)
Barkett	Easters	Merrill	Stokes
Benton	Ellis	Mims	Stubbs
Boles	Fite	Nettles	Taylor
Boutwell	Grey (D)	Owens	Therrell
Bowers	Hardin	Parker	Turner
Brassell	Harris	Perloff	Wallace
Callahan	Headley	Reed (T)	Warren
Casey	Hobbie	Reid (R)	Williams
Collins	Jackson	Roberts	Wise
Crowe	Kinsey	Robertson	Wood
Culver	McDonald		

—50

Nays:

Messrs.:	Cross	Hearn	Meeks
Adams	Dill	Hill	Naramore
Agee	Doss	Hughes	Porter
Barron	Edwards	Jones (F)	St. John
Burgess	Erdreich	King	Stewart
Carnes	Falkenburg	Lang	Timmons
Carter	Flipppo	Lutz	Turnham
Cauthen	Gafford	McCluskey	Waggoner
Chesnut	Goodwin	McMillan	Waldrop
Connell	Grainger	McNair	Weeks
Coshatt	Gray (F)	Manley	Wynot
Crawford			

—44

And the bill:

H. 625. Proposing an amendment to the Constitution of Alabama providing for and regulating the length of annual and special sessions of the Legislature.

Was taken up.

Mr. Mims offered the following amendment #1 to the bill:

Amend H. B. 625, Section 1 by deleting the following words "first Tuesday in May" and inserting in lieu thereof the following: "third Tuesday in January."

AMENDMENT LOST

And the amendment was lost.

Yeas 28; Nays 58.

Yeas:

Mr. Speaker	Carter	Gray (F)	McCorquodale
Adams	Chesnut	Hardin	McDonald
Agee	Cross	Headley	McMillan
Bank	Culver	Hughes	Owens
Barkett	Ellis	Jackson	St. John
Boles	Falkenburg	Jones (F)	Stokes
Boutwell	Fite	Kinsey	Stubbs

—28

Nays:

Messrs.:	Drake	McBride	Smith (K)
Barron	Easters	McCluskey	Stewart
Benton	Erdreich	McNair	Taylor
Bowers	Flippo	Meeks	Therrell
Brassell	Gafford	Merrill	Timmons
Burgess	Goodwin	Naramore	Turner
Callahan	Grainger	Nettles	Waggoner
Carnes	Grey (D)	O'Daniel	Waldrop
Cauthen	Hale	Parker	Wallace
Collins	Harris	Porter	Weeks
Cottingham	Hearn	Pruitt	Williams
Crawford	Hill	Reid (R)	Wise
Crowe	Hobbie	Reynolds	Wood
Dill	King	Roberts	Wynot
Doss	Lutz	Robertson	

—58

Mr. Mims offered the following amendment #2 to the bill:

Amend H. B. 625, Section 1 by deleting the following words: "75 calendar days" and inserting in lieu thereof the following: "60 calendar days"

AMENDMENT LOST

And the amendment was lost.

Yeas 21; Nays 70.

Yeas:

Mr. Speaker	Connell	Meeks	Stokes
Agee	Cross	Mims	Stubbs
Barkett	Fite	Owens	Waldrop
Barron	Jackson	Parker	Warren
Boutwell	Jones (F)	St. John	Wood
Bowers			

—21

Nays:

Messrs.:	Brassell	Cauthen	Dill
Adams	Burgess	Chesnut	Doss
Adwell	Callahan	Collins	Drake
Bassett	Carnes	Coshatt	Easters
Benton	Carter	Crawford	Ellis
Boles	Casey	Crowe	Erdreich

REGULAR SESSION
13th Day

1131

Falkenburg	Hill	May	Stewart
Flippo	Hobbie	Merrill	Taylor
Gafford	Hughes	Naramore	Therrell
Goodwin	King	Nettles	Timmons
Grainger	Kinsey	Perloff	Turner
Gray (F)	Lang	Porter	Turnham
Grey (D)	Lutz	Pruitt	Wallace
Hale	McBride	Reid (R)	Weeks
Hardin	McCluskey	Reynolds	Williams
Harris	McMillan	Roberts	Wise
Headley	McNair	Robertson	Wynot
Hearn	Manley	Smith (K)	

—70

Mr. Mims offered the following amendment #3 to the bill:

Amend H. B. 625, Section 1 by deleting the period at the end of Section 1 and inserting in lieu thereof the following: “; members of the legislature shall be paid and shall receive expenses only for legislative days and all attended authorized, called committee meetings.”

AMENDMENT TABLED

On motion of Mr. Stewart, the amendment #3 offered by Mr. Mims was tabled.

Mr. Burgess offered the following amendment to the bill:

Amend that portion that limits regular sessions to 30 legislative days and 75 calendar days to 36 legislative days and 120 calendar days.

Also amend that portion that limits special sessions from 12 legislative days and 30 calendar days to 18 legislative days and 60 calendar days.

And the amendment was adopted.

Yeas 65; Nays 14.

Yeas:

Messrs.:	Crawford	Headley	Owens
Adams	Crowe	Hill	Perloff
Adwell	Dill	Hughes	Pruitt
Agee	Doss	Jackson	Reed (T)
Barkett	Easters	Jones (F)	Reynolds
Bassett	Ellis	King	Roberts
Benton	Erdreich	Lang	Smith (K)
Boles	Falkenburg	Lutz	Stewart
Brassell	Fite	McBride	Therrell
Burgess	Flippo	McMillan	Timmons
Callahan	Goodwin	McNair	Turnham
Carnes	Grainger	May	Waldrop
Carter	Gray (F)	Merrill	Wallace
Casey	Grey (D)	Mims	Warren
Connell	Hale	Naramore	Wise
Coshatt	Hardin	O'Daniel	Wynot
Cottingham	Harris		

—65

Nays:

Mr. Speaker	Cauthen	Porter	Weeks
Barron	Cross	St. John	Williams
Boutwell	Gafford	Taylor	Wood
Bowers	Nettles		

—14

And the bill, H. 625, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 25.

Yeas:

Messrs.:	Crowe	Hughes	Reed (T)
Adams	Dill	Jackson	Reynolds
Adwell	Doss	Jones (F)	Roberts
Agee	Drake	King	St. John
Benton	Easters	Lang	Smith (K)
Boles	Ellis	Lutz	Stewart
Boutwell	Erdreich	McBride	Stokes
Brassell	Falkenburg	McDonald	Stubbs
Burgess	Flippo	McMillan	Taylor
Callahan	Goodwin	McNair	Therrell
Carnes	Grainger	Manley	Timmons
Carter	Gray (F)	May	Turner
Casey	Gray (D)	Merrill	Turnham
Cauthen	Hale	Naramore	Waldrop
Collins	Harris	Nettles	Wallace
Coshatt	Headley	Parker	Williams
Cottingham	Hill	Perloff	Wise
Crawford			—68

Nays:

Mr. Speaker	Cross	McCorquodale	Porter
Barkett	Edwards	Mathews	Pruitt
Barron	Fite	Meeks	Smith (P)
Bassett	Gafford	Mims	Warren
Bowers	Hardin	O'Daniel	Weeks
Chesnut	McCluskey	Owens	Wood
Connell			—25

CO-SPONSORS ADDED

Unanimous consent was granted for the Journal to show Messrs. Harris and Ellis as co-sponsors to the bill, H. 625.

And the bill:

H. 164. Proposing an amendment to the Constitution of Alabama which will repeal Amendment No. 132 of the Constitution of Alabama of 1901 which provided for altering the boundaries, reducing the area or abolishing Macon County.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 2.

Yeas:

Mr. Speaker	Bassett	Carnes	Coshatt
Adams	Benton	Carter	Cottingham
Agee	Boles	Casey	Cross
Bank	Boutwell	Cauthen	Crowe
Barkett	Brassell	Chesnut	Dill
Barron	Callahan	Connell	Doss

REGULAR SESSION
13th Day

1133

Drake	Hill	Merrill	Stewart
Easters	Hughes	Naramore	Stokes
Edwards	Jackson	Nettles	Stubbs
Ellis	Jones (F)	O'Daniel	Taylor
Erdreich	King	Owens	Therrell
Falkenburg	Lang	Perloff	Timmons
Fite	Lutz	Porter	Turner
Flippo	McBride	Reed (T)	Turnham
Goodwin	McCluskey	Reid (R)	Waldrop
Grainger	McCorquodale	Reynolds	Wallace
Gray (F)	McMillan	Roberts	Weeks
Grey (D)	McNair	Robertson	Williams
Hale	Manley	St. John	Wise
Hardin	Mathews	Smith (K)	Wood
Harris	May	Smith (P)	Wynot
Headley			—85

Nays: Messrs. Burgess and Pruitt. —2

And the bill:

H. 165. To propose an amendment to the Constitution relative to making persons over eighteen years of age adults.

Was taken up.

MOTION TO POSTPONE TABLED

On motion of Mr. Gray (F), the motion of Mr. Lutz to postpone the bill, H. 165, to the fifteenth legislative day was tabled.

Yeas 50; Nays 21.

Yeas:

Mr. Speaker	Crawford	Jackson	St. John
Adams	Dill	Jones (F)	Smith (P)
Agee	Doss	McBride	Stewart
Barkett	Drake	McCluskey	Taylor
Bassett	Edwards	McMillan	Therrell
Boutwell	Fite	McNair	Timmons
Brassell	Gafford	Merrill	Turner
Carnes	Goodwin	Naramore	Waldrop
Carter	Gray (F)	Nettles	Weeks
Cauthen	Hale	O'Daniel	Williams
Chesnut	Hardin	Parker	Wood
Collins	Harris	Perloff	Wynot
Coshatt	Hughes		—50

Nays:

Messrs.:	Cottingham	Lang	Reid (R)
Adwell	Cross	Lutz	Robertson
Barron	Ellis	Manley	Stokes
Benton	Erdreich	Meeks	Turnham
Boles	Hill	Mims	Wallace
Bowers	King		—21

Mr. Lutz offered the following amendment to the bill, H. 165:

This bill shall apply only in Macon County.

AMENDMENT TABLED

On motion of Mr. Gray (F), the amendment offered by Mr. Lutz to the bill, H. 165, was tabled.

Yeas 67; Nays 4.

Yeas:

Mr. Speaker	Crawford	Jackson	Reynolds
Adams	Dill	Jones (F)	St. John
Agee	Doss	McBride	Smith (P)
Bank	Drake	McCluskey	Stewart
Barkett	Edwards	McMillan	Stokes
Bassett	Falkenburg	McNair	Stubbs
Boles	Fite	Manley	Taylor
Boutwell	Gafford	Merrill	Therrell
Brassell	Goodwin	Naramore	Timmons
Burgess	Grainger	Nettles	Turner
Carnes	Gray (F)	Owens	Turnham
Carter	Grey (D)	Parker	Waldrop
Cauthen	Hale	Perloff	Weeks
Chesnut	Hardin	Porter	Williams
Collins	Harris	Pruitt	Wood
Connell	Hill	Reed (T)	Wynot
Coshatt	Hughes	Reid (R)	

—67

Nays:

Messrs.:	King	Lang	Lutz
Barron			

—4

MOTION TO ADJOURN LOST

The motion of Mr. Lutz that the House adjourn until 10:00 o'clock a.m., Tuesday, June 26, 1973, was lost.

H. 165 CONTINUED

And the bill, H. 165, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 20.

Yeas:

Mr. Speaker	Culver	McDonald	Robertson
Adams	Dill	McMillan	St. John
Agee	Edwards	McNair	Smith (P)
Bank	Ellis	Manley	Stewart
Barkett	Erdreich	Merrill	Stokes
Boutwell	Falkenburg	Naramore	Stubbs
Brassell	Fite	Nettles	Taylor
Callahan	Goodwin	O'Daniel	Therrell
Carnes	Grainger	Owens	Timmons
Carter	Gray (F)	Parker	Turner
Casey	Grey (D)	Perloff	Turnham
Cauthen	Hale	Pruitt	Waldrop
Chesnut	Jackson	Reed (T)	Weeks
Collins	Jones (F)	Reid (R)	Williams
Coshatt	King	Reynolds	Wood
Crawford	McBride	Roberts	Wynot

—64

REGULAR SESSION
13th Day

1135

Nays:

Messrs.:	Cottingham	Hardin	Lutz
Barron	Cross	Harris	McCluskey
Bassett	Doss	Hill	McCorquodale
Boles	Easters	Hughes	Mims
Burgess	Gafford	Lang	Wallace
Connell			

—20

And the bill:

H. 612. To amend further Code of Alabama 1940, Title 17, Section 350, so as to forbid the printing of a party loyalty pledge on the ballots used in primary elections.

Was taken up.

Mr. Nettles offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To amend further Code of Alabama 1940, Title 17, Sections 350, and 352, so as to forbid the printing of a party loyalty pledge on the ballots used in primary elections.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 350, as amended, is hereby further amended to read as follows:

"Section 350. Separate official ballots and other election stationery and supplies for each political party shall be printed and furnished for use at each election district or precinct, and shall be of a different color for each of the political parties participating in such primary election. All ballots for the same political party shall be alike, except as herein otherwise provided, printed in plain type, and upon paper so thick that the printing cannot be distinguished from the back. Across the top of the ballot shall be printed the party's emblem, if any, and the words, 'Official Primary Election Ballot.' Beneath this heading shall be printed the year in which said election is held and the words 'Democratic Party' or 'Republican Party' or other proper party designation. Each group of candidates to be voted on shall be preceded by the designation of the office for which the candidates seek nomination, and in the proper place shall be printed the words, 'Vote for one,' or 'Vote for two,' (or more) according to the number to be elected to such office at the ensuing election. Hereafter ballots used in primary elections shall not have printed thereon a pledge to aid and support the nominees of the primary in the ensuing general election."

Section 2. Code of Alabama 1940, Title 17, Section 352, as amended, is hereby further amended by deleting therefrom the following:

"By casting this ballot I do pledge myself to abide by the result of this primary election and to aid and support all the nominees thereof in the ensuing general election."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MOTION TO POSTPONE TABLED

On motion of Mr. Nettles, the motion of Mr. Grainger to postpone the bill, H. 612, to the thirtieth legislative day, was tabled.

Yeas 14; Nays 61.

Yeas:

Messrs.:	Edwards	McCluskey	Stokes	
Barkett	Hale	McCorquodale	Taylor	
Cottingham	Hill	Nettles	Turner	
Dill	Jones (F)	Smith (K)		—14

Nays:

Mr. Speaker	Crowe	Hughes	Reid (R)	
Barron	Culver	Jackson	Reynolds	
Bassett	Doss	King	Roberts	
Boles	Drake	Lang	Robertson	
Boutwell	Ellis	Lutz	Smith (P)	
Bowers	Erdreich	McDonald	Stewart	
Brassell	Falkenburg	McMillan	Stubbs	
Callahan	Fite	May	Therrell	
Carnes	Goodwin	Meeks	Turnham	
Carter	Grainger	Merrill	Waldrop	
Casey	Gray (F)	Mims	Wallace	
Cauthen	Grey (D)	Naramore	Weeks	
Connell	Hardin	Owens	Williams	
Coshatt	Harris	Perloff	Wood	
Crawford	Headley	Porter	Wynot	
Cross				—61

H. 612 POSTPONED

The question was then on the motion offered by Mr. Grainger that the bill, H. 612, be postponed to the thirtieth legislative day, and the motion was adopted.

Yeas 65; Nays 14.

Yeas:

Mr. Speaker	Crowe	Hughes	Porter	
Agee	Culver	Jackson	Reid (R)	
Barron	Doss	King	Reynolds	
Bassett	Drake	Lang	Roberts	
Boles	Ellis	Lutz	Robertson	
Boutwell	Erdreich	McCluskey	Smith (P)	
Bowers	Falkenburg	McCorquodale	Stewart	
Brassell	Fite	McMillan	Stubbs	
Burgess	Gafford	Mathews	Therrell	
Callahan	Goodwin	May	Timmons	
Carnes	Grainger	Meeks	Turnham	
Carter	Gray (F)	Merrill	Waldrop	
Casey	Grey (D)	Mims	Wallace	
Chesnut	Hardin	Naramore	Weeks	
Connell	Harris	Owens	Williams	
Coshatt	Headley	Perloff	Wynot	
Crawford				—65

REGULAR SESSION
13th Day

1137

Nays:

Messrs.:	Cross	Hill	Stokes
Barkett	Dill	Jones (F)	Taylor
Cauthen	Edwards	Nettles	Turner
Cottingham	Hale	Parker	

—14

And the bill:

H. 529. To provide that the poll list actually signed by each voter at any general, special, primary or municipal election held in any county shall be filed and maintained in the probate office as a public record for one year from the date of said election.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 1.

Yeas:

Mr. Speaker	Crawford	Headley	Pruitt
Adams	Cross	Hill	Reid (R)
Agee	Crowe	Hughes	Reynolds
Barkett	Culver	Jones (F)	Roberts
Barron	Dill	King	Robertson
Bassett	Doss	Lutz	Smith (P)
Benton	Drake	McCluskey	Stewart
Boles	Edwards	McDonald	Stokes
Boutwell	Ellis	McMillan	Stubbs
Bowers	Erdreich	McNair	Taylor
Brassell	Falkenburg	Manley	Therrell
Burgess	Fite	May	Timmons
Callahan	Gafford	Meeks	Turner
Carnes	Goodwin	Merrill	Turnham
Carter	Grainger	Naramore	Waggoner
Cauthen	Gray (F)	Nettles	Waldrop
Collins	Grey (D)	Owens	Wallace
Connell	Hale	Parker	Weeks
Coshatt	Hardin	Perloff	Wood
Cottingham	Harris	Porter	Wynot

—80

Nay: Mr. Kinsey.

—1

CO-SPONSOR ADDED

Unanimous consent was granted Mr. Culver for the Journal to show him as co-sponsor to the bills, H. 269 and H. 270.

And the bill:

H. 269. (With Substitute and Amendment): To provide for the organization of a public corporation of the state under the name of Alabama State Docks Authority; to abolish the Alabama State Docks Department and transfer to the public corporation created pursuant to this Act all the powers, privileges, rights, funds, property, books, records and effects of the Alabama State Docks Authority and its board of directors; to provide for the meetings of the board of directors; to provide for the Authority's powers; to provide for the appointment by the Authority of the chief executive officer of the Authority who shall exercise all the powers and duties vested in the Authority,

and one or more assistant executive officers, and to fix their terms of office and their salaries; to provide for the making of an annual report by the Authority to the Governor and the legislature and such recommendations to the legislature as the Authority may from time to time deem appropriate; to authorize the Authority to delegate to the chief executive officer or other officials of the Authority such of its administrative powers and functions as it may deem proper; to authorize the issuance of general obligation bonds of the state in principal amount not exceeding \$115,000,00 and designating the Authority as the agency of the state with respect to the sale and issuance thereof, and to provide that the said bonds and the income therefrom shall be exempt from all taxation in the state; to authorize the Authority when it deems such action advantageous, to act as the agency to provide for the refunding of any outstanding bonds, matured or unmatured, that were originally issued by the state, the Authority, or the Alabama State Docks Department with respect to State Docks Facilities; and to repeal any parts of laws conflicting with the provisions of this Act.

The question was then on the adoption of the substitute reported by the Standing Committee on Commerce and Transportation, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the organization of a public corporation of the state under the name of Alabama State Docks Authority; to abolish the Alabama State Docks Department and transfer to the public corporation created pursuant to this Act all the powers, privileges, rights, funds, property, books, records and effects of the Alabama State Docks Department and its board of directors; to provide for the meetings of the board of directors; to provide for the Authority's powers; to provide for the appointment by the Authority of the chief executive officer of the Authority who shall exercise all the powers and duties vested in the Authority, and one or more deputy executive officers not to exceed three in number, and to fix their terms of office and their salaries; to provide for the making of an annual report by the Authority to the Governor and the legislature and such recommendations to the legislature as the Authority may from time to time deem appropriate; to authorize the Authority to delegate to the chief executive officer or other officials of the Authority such of its administrative powers and functions as it may deem proper; to authorize the issuance of general obligation bonds of the state in principal amount not exceeding \$115,000,000 and designating the Authority as the agency of the state with respect to the sale and issuance thereof, and to provide that the said bonds and the income therefrom shall be exempt from all taxation in the state; to authorize the Authority when it deems such action advantageous, to act as the agency to provide for the refunding of any outstanding bonds, matured or unmatured, that were originally issued by the state, the Authority, or the Alabama State Docks Department with respect to State Docks Facilities; and to repeal any parts of laws conflicting with the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. It is the intention of the legislature by the passage of this Act to authorize the incorporation of a public corporation for the following

purposes: to promote, develop, construct, maintain, improve, expand and modernize the State Docks Facilities; to provide for the appointment of the chief executive officer and one or more deputy executive officers not to exceed three in number having certain minimum executive and managerial experience in marine terminal operations, foreign trade development, and transportation in the field of water-borne commerce and to fix their terms of office and their salaries. It is further the intention of the legislature to authorize the issuance of interest bearing general obligation bonds of the State herein provided for and to empower the said public corporation to fix the terms and supervise the sale of the said bonds and to expend the proceeds thereof in discharging its duties and obligations authorized by this Act. This Act is designed to implement the constitutional amendment set forth in House Bill No. 270 of the 1973 Regular Session of the Alabama Legislature and is to be liberally construed in conformity with its purposes.

Section 2. The following words and phrases, wherever used in this Act, and others evidently intended as the equivalent thereof, shall in the absence of clear implication herein otherwise be given the following respective interpretations herein:

"Authority" means the public corporation organized pursuant to the provisions of this Act.

"Board" means the board of directors of the Authority.

"Bonds" means the bonds issued under the provisions of this Act, except that in Section 16 hereof, the word "bonds" shall include any bonds outstanding at the effective date of this Act that were originally issued by either the State or by the Alabama State Docks Department with respect to the State Docks Facilities.

"Person," unless limited to a natural person by the context in which it is used, includes a public or private corporation organized under the laws of Alabama or of another state, a municipality, a county, or an agency, department or instrumentality of a county or municipality, of one or more of the several states, or of the United States.

"Property" means and includes real and personal property, and interests therein.

"State," in the absence of clear implication herein otherwise, means the State of Alabama.

"State Docks Facilities" means docks and all kinds of dock facilities, including elevators, warehouses, water and rail terminals, wharves, piles, quays, compresses, cold storage facilities, loading and unloading facilities, and other related structures, facilities and equipment now or hereafter owned by the State of Alabama at the Port of Mobile and at any dock or warehouse along the inland waterways of the state.

"State Docks Director" means the chief executive officer of the Authority.

The definitions set forth herein shall be deemed applicable whether the words defined are used in the singular or plural. Whenever used herein any pronoun or pronouns shall be deemed to include both singular and plural and to cover all genders.

Section 3. The Governor, the Lieutenant Governor, the Commissioner of Agriculture and Industries, the Director of Finance, the Director of the Alabama Development Office, one member of the Senate of the State elected for such purpose by that body, and one member of the House of Representatives of the State elected for such purposes by that body may become a public corporation with the powers hereinafter provided, by proceeding according to the provisions of this Act.

Section 4. To become a corporation, any five of the Governor, the Lieutenant Governor, the Commissioner of Agriculture and Industries, the Director of Finance, the Director of the Alabama Development Office, one member of the Senate of the State elected for such purpose by that body, and one member of the House of Representatives of the State elected for such purpose by that body shall present to the Secretary of State of the State of Alabama an application which shall set forth: (a) the name, official designation and official residence of each of the applicants, together with certificates respecting the due election of those who are elected to the offices respectively held by them and certified copies of the commissions evidencing the due appointment of those who are appointed to the offices respectively held by them; (b) the date on which each applicant was inducted into office and the term of office of each applicant; (c) the name of the proposed public corporation, which shall be Alabama State Docks Authority; (d) the location of a principal office of the proposed public corporation; and (e) any other matter relating to the proposed public corporation which the applicants may choose to insert and which is not inconsistent with this Act or the laws of the State of Alabama. The application shall be subscribed and sworn to by each of the applicants before an officer authorized by the laws of this state to take acknowledgments to deeds. The secretary of state shall examine the application and, if he finds that it substantially complies with the requirements of this section, he shall receive and file it and record it in an appropriate book of records in his office.

Section 5. When the application has been made, filed and recorded, as herein provided, the applicants shall constitute a public corporation under the name submitted in the application, and the secretary of state shall make and issue to the applicants a certificate of incorporation under the Great Seal of the State and shall record such certificate with the application. There shall be no fees paid to the secretary of state for any service rendered or work performed in connection with the Authority thus formed, its incorporation, dissolution or records.

Section 6. Concurrently with the completion of the incorporation of the Authority pursuant to the foregoing provisions of this Act, the Alabama State Docks Department created by Act No. 103 adopted at the 1955 Regular Session of the Legislature of Alabama shall thereupon be abolished and cease to exist and the following shall occur: the Authority shall succeed to all of the powers, duties, properties and other assets of the Alabama State Docks Department; the Authority shall be vested with power to perform and carry out all the powers, contracts, and other liabilities of the Alabama State Docks Department; all persons employed by the Alabama State Dock Department and subject to the provisions of law with respect to the method of selection, classification and compensation of state employees on the basis of merit shall be deemed employees of the Authority without loss of standing under the merit system of the State; all of the funds, property, books, records and effects of every kind whatsoever belonging to or under the control of Ala-

bama State Docks Department shall be transferred to and shall vest in the Authority and all powers, privileges and rights of the Alabama State Docks Department shall vest in the Authority.

Section 7. As soon after the adoption of this Act as is practicable, the Senate of the State and the House of Representatives of the State shall elect one of its respective members to be a member of the Authority. The terms of office of the members of the Authority elected respectively by the Senate of the State and the House of Representatives of the State shall be for the remainder of their terms as members of the respective body that elected them and thereafter until their successors as members of the Authority are elected.

The Governor, the Lieutenant Governor, the Commissioner of Agriculture and Industries, the Director of Finance, the Director of the Alabama Development Office and their respective successors in office and one member of the Senate of the State elected for such purpose by that body and one member of the House of Representatives of the State elected for such purpose by that body and their respective successors as elected respectively by the Senate of the State and the House of Representatives of the State shall constitute the members of the Authority.

The Governor shall be the president of the Authority, the Lieutenant Governor shall be its vice president, and the Director of Finance shall be its secretary. The state treasurer shall be the treasurer of the Authority, and shall act as custodian of its bond funds. The members of the Authority shall constitute all the members of the board of directors of the Authority, and any four (4) members of the board of directors shall constitute a quorum for the transaction of business. Should any person holding any state office named in this section cease to hold such office by reason of death, resignation, expiration of his term of office, or for any other reason, then his successor in office shall take his place as a member officer, or director of the Authority. No member, officer or director of the Authority shall receive any compensation for any service they may render or for any duty they may perform in connection with the Authority, but each member or director of the Authority may be reimbursed for all reasonable expenses actually incurred by him in and about the performance of his duties.

The board of directors shall meet at least quarterly at such times and places as may be by it selected. It may meet more often as business requires or on special call by the Governor or any four members of the board.

All proceedings had and done by the board of directors shall be reduced to writing by the secretary of the Authority, shall be signed by at least four (4) members of the Authority, and shall be recorded in a substantially bound book and filed in the office of the secretary. Copies of such proceedings, when certified by the secretary of the Authority, under the seal of the Authority, shall be received in all courts as prima facie evidence of the matters and things therein certified.

Section 8. The Authority shall have the following powers: (a) To have succession by its corporate name without time limit; (b) to sue others, to be sued but only for breach of contract, and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties; (c) to have and to use a corporate seal and to alter the same at its pleasure; (d) to establish a fiscal year; (e) to supervise, control, manage and direct the State Docks Facilities and all other State property referred to in

Chapter 1, Title 38, Code of Alabama 1940, as amended; (f) to develop, construct, maintain, and operate all improvements and facilities authorized by Chapter 1, Title 38, Code of Alabama 1940, as amended; (g) to receive, take and hold by sale, gift, lease, devise or otherwise real and personal property of every kind and description, and to manage the same; (h) to acquire by purchase, gift, devise or any other lawful means, and to convey or cause to be conveyed to the United States, State of Alabama, any county or municipality in the state, or to any agency, department or instrumentality of any such political entity, or to any public corporation, any real, personal or mixed property necessary or convenient to the Authority in the performance of its duties and obligations in connection with the State Docks Facilities; (i) to exercise the right of eminent domain as freely and completely, and in the same manner as, the State of Alabama is empowered to exercise such right; (j) to enter into contracts with the United States, the State of Alabama, counties, and municipalities, with all agencies, departments and instrumentalities of such political entities, and with private individuals, firms, corporations, and other persons for any purpose related to the Authority's duties and obligations in connection with the State Docks Facilities; (k) to act as the agency of the state in the authorizing, selling, and issuing general obligation bonds of the state subject to the provisions of this Act; (l) to provide for and specify the details of and to supervise and make sale of, general obligation bonds of the state subject to the provisions of this Act and to expend the proceeds of the said bonds in discharging its duties and obligations in connection with the State Docks Facilities; (m) to appoint and employ such attorneys and agents as the business of the Authority may require, provided that the Authority shall not employ fiscal agents or financial advisers in connection with the sale of bonds; and (n) to appoint and employ persons as hereinafter provided.

Section 9. The chief executive officer of the Authority shall be known as State Docks Director and shall be appointed by the Authority. He shall be a person of good character and excellent reputation and shall have at least ten (10) years' executive or managerial experience in marine terminal operations, foreign trade development and transportation in the field of waterborne commerce. He shall have no financial interest in any concern having business transactions with the Authority. The salary of the State Docks Director shall be fixed by the board at an amount competitive with the then generally prevailing salary paid others holding comparable positions at ports that at the time are competitive with the Port of Mobile. The Authority may, at its discretion, enter into a contract of employment to fill such position but no such contract shall be effective for a period longer than two years. The State Docks Director may be employed on a no-contract basis subject to mutual agreement between the Authority and the Director.

Subject to the other provisions of this Act and except as provided otherwise herein, the powers and duties vested in the Authority may be exercised by the Director and his responsibilities may encompass all activities of the Authority including administration, operation, finance, and trade development at the State Docks Facilities, and the promotion and co-ordination of programs connected with the development of the navigable waterways and river systems of Alabama.

Section 10. The Authority, with the advice of the State Docks Director, is authorized to employ one or more Deputy Directors not to exceed three in number. The Authority may, at its discretion, enter into contracts of employment to fill such positions, but no such contract shall be effective for

a period longer than two years. Deputy Directors may be employed on a no-contract basis subject to mutual agreement between the Authority and the Deputy Director. Deputy Directors shall be persons of good character and excellent reputation and shall have at least three (3) years' executive or managerial experience in marine terminal operations, foreign trade development and transportation in the field of water-borne commerce. No Deputy Director shall have any financial interest in any concern having business transactions with the Authority.

Employees holding classified positions under the merit system of the State may be employed as Deputy Directors of the Authority and each such employee so employed shall, at the conclusion of his occupancy of such position, resume his previous status under the merit system of the State.

The line of responsibility and power shall be established by the Director to provide for uninterrupted operation of the State Docks facilities in the event of the absence of the Director.

Section 11. The Authority shall appoint such officials and employees as are required for the performance of the work of the Authority and shall have the power to fix and determine their qualifications, compensation, and duties, subject to and within all limitations herein set out. All of the employees of the Authority except the State Docks Director and the Deputy State Docks Directors herein provided for, and those employees exempted under Sections 301 and 317 (3) of Title 55 of the Code of Alabama 1940, as amended, shall be subject to the provisions of law with respect to the method of selection, classification and compensation of state employees on the basis of merit.

Section 12. The Authority shall annually submit a report of its activities and development plans to the Governor and to the legislature. It may from time to time make recommendations to the legislature, based upon study and analysis, for the better handling of the commerce passing in and through the State Docks Facilities, for the increase and improvement of transportation and facilities, for the more economical and expeditious handling of such commerce, and for the development and promotion of both domestic and foreign trade.

Section 13. The Authority may delegate to the State Docks Director or other officials of the Authority such of its administrative powers and functions as it may deem proper, but any of its powers and functions so delegated may be revoked by the Authority at any time.

Section 14. The Authority shall have and exercise all the rights, powers, duties and authorities, not inconsistent with the provisions of this Act, conferred upon the Alabama State Docks Department and the Director of State Docks at the effective date of this Act by Title 38 of the Code of Alabama 1940, as amended, or by any other laws of this state.

Section 15. There are hereby authorized to be issued bonds of the state in aggregate principal amount not exceeding \$115,000,000. The bonds hereby authorized shall be general obligations of the state, and the full faith, credit and taxing powers of the state are hereby irrevocably pledged for the prompt and faithful payment of the principal thereof and the interest thereon.

The bonds may be sold from time to time as the board of directors may deem advantageous; provided, that no bonds (other than refunding bonds)

may be sold or issued unless the Governor shall have first determined that the issuance of the bonds proposed to be issued will be necessary to enable the Authority to promote, develop, construct, maintain, improve, expand and modernize the State Docks Facilities. Except as hereinafter limited, the bonds may be executed and delivered at any time and from time to time may be in such forms, denominations, series and numbers, may be of such tenor and maturities, may bear such date or dates, may be in registered or bearer form either as to principal or interest, or both, may be payable in such installments and at such time or times, may be payable at such place or places within or without the state, may bear interest at such rate or rates not exceeding 8% per annum payable and evidenced in such manner, may contain provisions for redemption at the option of the Authority at such date or dates prior to their maturity and upon payment of such redemption price or prices, and may contain such other provisions not inconsistent with the provisions of this Act, all as shall be provided by the board of directors in the resolution or resolutions whereunder the bonds are issued. The principal of each series of the bonds shall mature in annual installments in such amounts as shall be specified in the resolution or resolutions of the board of directors under which they are issued, the first of which installments shall mature not later than three years after the date of the bonds of such series and the last of which installments shall mature not later than twenty years after the date of the bonds of the same series. Any redemption price required to be paid in order to effect any redemption of bonds prior to maturity shall not exceed the face value of each bond redeemed plus accrued interest thereon to the date fixed for redemption and a premium equal to one year's interest on such bond. Each series of bonds having an installment of principal maturing more than ten years after the date thereof shall be made subject to redemption prior to maturity, at the option of the state, at the end of the tenth year following their date and semiannually thereafter in such manner as may be specified in the resolution authorizing such series. When each series of the bonds is issued, the maturities of the bonds of that series shall, to such extent as may be practicable, be so arranged that during each then succeeding fiscal year of the state the aggregate installments of principal and interest that will mature on all bonds that will be outstanding hereunder, immediately following the issuance of the bonds of that series, will be substantially equal; provided, that the determination by the Authority that the requirements of this sentence have been complied with shall be conclusive of such compliance and the purchasers of any of the bonds and all subsequent holders thereof shall be fully protected by such determination.

None of the bonds shall be sold for less than their face value plus accrued interest thereon to the date of their delivery, and all of the bonds shall be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the state computed to the respective maturities of the bonds sold; provided, that, if no bid deemed acceptable by the Authority is received, all bids may be rejected. Notice of each bond sale shall be given by the Authority by publication in either a financial journal or a financial newspaper published in New York, New York, at least one time not less than ten days prior to the date fixed for the sale. The Authority shall cause such other publicity to be given of each bond sale as it may deem advisable, and it shall fix the terms and conditions under which each sale of bonds may be held; provided, that such terms and conditions shall not conflict with any of the requirements of this Act. The Authority is authorized to provide terms and conditions under which any of the bonds may be exchanged for like bonds of other denominations and may be

converted from bearer bonds into registered bonds, either as to principal or interest or both as the Authority may prescribe, and again converted into bearer bonds.

The bonds shall not be valid unless the Governor shall approve the terms and conditions under which they were authorized to be issued by the board. Such approval shall be entered on the minutes of the meeting of the board of directors at which the bonds are authorized, and shall be signed by the Governor. Such approval by the Governor may, but need not, be shown on any such bonds by a facsimile of his signature printed or otherwise reproduced thereon when authorization thereof is contained in the said approval signed by him.

The bonds shall be executed in the name of the state by the Director of Finance, and the Great Seal of the state, or a facsimile thereof, shall be impressed, printed or otherwise reproduced thereon and attested by the secretary of state. Such execution shall be approved by the Governor. A facsimile of the signature of any said of said officials may be printed or otherwise reproduced on any of the bonds in lieu of being manually signed thereon, provided that the signature of at least one of the said officials shall be manually signed thereon by the official whose signature is so manually signed. The coupons evidencing any installments of interest on the bonds shall be executed with a facsimile of the signature of the state treasurer printed or otherwise reproduced thereon. Each such facsimile of a signature shall be valid in all respects as if the officials the facsimiles of whose signatures are so used had signed the bonds in person. The Great Seal of the state so used shall be valid in all respects as if the Great Seal of the state had been manually affixed to the bonds. In the event any official who shall sign the bonds or the facsimile of whose signature shall appear thereon shall thereafter cease to hold office before they are delivered and paid for, the bonds and the coupons applicable thereto shall nevertheless be valid for all purposes to the same extent as if the official who signed the bonds or the facsimile of whose signature appears thereon had remained in office until all of the bonds bearing such signature or facsimile thereof shall have been delivered and paid for.

The bonds and the income therefrom shall be exempt from all taxation in the state.

Section 16. The Authority may from time to time sell and issue refunding bonds for the purpose of refunding any matured or unmatured bonds then outstanding that were originally issued by either the state, the Authority or the Alabama State Docks Department with respect to the State Docks Facilities. Any such refunding bonds shall be of the same kind and shall be payable from the same source or sources as the bonds refunded thereby, and they shall not be counted against the authorized amount of those so refunded thereby. The provisions of this Act, to the extent they may be applicable, shall apply to the authorization, sale, execution, redemption, maximum interest rate, maturities, issuance and other details pertaining to the bonds, of such refunding bonds.

Section 17. The Authority shall pay out of the proceeds from the sale of any of the bonds expenses which the board of directors may deem necessary or advantageous in connection with the sale or issuance thereof. The proceeds from the sale of all bonds, other than refunding bonds, remaining after paying the expenses of their sale and issuance shall be turned into the state treasury, shall be carried in a special fund therein, and shall be subject

to be drawn on by the Authority, upon the approval of the Governor, but solely for the respective purposes for which they were issued as herein authorized. The proceeds from the sale of any refunding bonds remaining after payment of the expense of their issuance shall be paid into the state treasury, shall be carried in a special fund therein, and shall be subject to withdrawal by the Authority for the purpose of refunding the principal of the outstanding bonds for the refunding of which they were authorized to be issued. In the event the expenses incurred in any such refunding should not be paid in full out of the proceeds from the sale of any such refunding bonds then the Authority shall pay such expenses out of its revenues.

Any portion of the proceeds derived from the sale of any of the bonds which the board of directors of the Authority may determine is not then needed for any of the purposes for which the bonds are authorized to be issued shall, on order of the Authority, be invested by the state treasurer in any securities that are direct general obligations of the United States or the principal of and interest on which are unconditionally and irrevocably guaranteed by the United States. Any such securities may, at any time and from time to time, on order of the Authority, be sold or otherwise converted by the state treasurer into cash. The income derived from any such investments shall be added to and treated as a part of the proceeds so invested.

Section 18. Out of any funds in the state treasury that may be available for such purpose, the state treasurer is authorized and directed to pay the principal of and interest on the bonds at the respective maturities of the said principal and interest, and he is further authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 19. In the event any section, sentence, clause or provision of this Act shall be declared invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses or provisions of this Act, which shall continue effective.

Section 20. This Act shall become effective upon the adoption of an amendment to the Constitution of Alabama proposed by House Bill No. 270 of the 1973 Regular Session of the Alabama Legislature.

And the substitute was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Casey	Ellis	King
Adams	Cauthen	Falkenburg	Kinsey
Agee	Chesnut	Fite	Lang
Bank	Collins	Gafford	Lutz
Barkett	Connell	Goodwin	McCluskey
Barron	Coshatt	Grainger	McCorquodale
Bassett	Cottingham	Gray (F)	McDonald
Benton	Cross	Grey (D)	McMillan
Boles	Crowe	Hale	McNair
Boutwell	Culver	Hardin	Manley
Brassell	Dill	Harris	Mathews
Burgess	Doss	Headley	May
Callahan	Drake	Hill	Meeks
Carnes	Easters	Hughes	Merrill
Carter	Edwards	Jones (F)	Mims

REGULAR SESSION
13th Day

1147

Naramore	Reid (R)	Stewart	Waggoner
Nettles	Reynolds	Stokes	Waldrop
Owens	Roberts	Stubbs	Wallace
Parker	Robertson	Taylor	Warren
Perloff	St. John	Therrell	Weeks
Porter	Smith (K)	Timmons	Williams
Pruitt	Smith (P)	Turner	Wise
Reed (T)	Snell	Turnham	Wood

—92

The question was then on the adoption of the amendment reported by the Standing Committee on Commerce and Transportation, said Committee amendment being as follows:

Amend Substitute for House Bill 269, Section 4, by deleting subsection (c) in its entirety and substituting in lieu thereof the following:

“(c) the name of the proposed public corporation, which shall be Alabama Port Authority;”

And the amendment was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Culver	Lang	Roberts
Adams	Dill	Lutz	Robertson
Agee	Doss	McCluskey	St. John
Bank	Drake	McDonald	Smith (K)
Barkett	Easters	McMillan	Smith (P)
Barron	Edwards	McNair	Snell
Bassett	Ellis	Manley	Stewart
Benton	Falkenburg	Mathews	Stokes
Boles	Fite	May	Stubbs
Boutwell	Gafford	Meeks	Taylor
Brassell	Goodwin	Merrill	Therrell
Burgess	Grainger	Mims	Timmons
Callahan	Gray (F)	Naramore	Turner
Carnes	Grey (D)	Nettles	Turnham
Carter	Hale	O'Daniel	Waggoner
Casey	Hardin	Owens	Waldrop
Cauthen	Harris	Parker	Wallace
Collins	Headley	Perloff	Warren
Connell	Hill	Porter	Weeks
Coshatt	Hughes	Pruitt	Williams
Cottingham	Jones (F)	Reed (T)	Wise
Cross	King	Reid (R)	Wood
Crowe	Kinsey	Reynolds	

—91

Mr. Erdreich offered the following amendment to the bill, H. 269 as amended:

Amend Section 16 of H. 269 by adding at the end of the Section the following:

“These bonds shall not be refunded or reissued without prior approval of the Alabama Legislature.”

And the amendment was adopted.

Yeas 91; Nays 3.

Yeas:

Mr. Speaker	Cross	King	Reid (R)
Adams	Culver	Kinsey	Reynolds
Agee	Dill	Lang	Roberts
Barkett	Doss	Lutz	Robertson
Barron	Drake	McCluskey	Smith (K)
Bassett	Easters	McCorquodale	Smith (P)
Benton	Edwards	McDonald	Snell
Boles	Ellis	McMillan	Stewart
Boutwell	Erdreich	McNair	Stokes
Bowers	Falkenburg	Manley	Stubbs
Brassell	Gafford	Mathews	Taylor
Burgess	Goodwin	May	Therrell
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hill	Parker	Weeks
Coshatt	Hughes	Perloff	Wise
Cottingham	Jackson	Porter	Wynot
Crawford	Jones (F)	Pruitt	

—91

Nays: Messrs. Fite, Williams and Wood.

—3

And the bill:

H. 269. To provide for the organization of a public corporation of the state under the name of Alabama State Docks Authority; to abolish the Alabama State Docks Department and transfer to the public corporation created pursuant to this Act all the powers, privileges, rights, funds, property, books, records and effects of the Alabama State Docks Department and its board of directors; to provide for the meetings of the board of directors; to provide for the Authority's powers; to provide for the appointment by the Authority of the chief executive officer of the Authority who shall exercise all the powers and duties vested in the Authority, and one or more deputy executive officers not to exceed three in number, and to fix their terms of office and their salaries; to provide for the making of an annual report by the Authority to the Governor and the legislature and such recommendations to the legislature as the Authority may from time to time deem appropriate; to authorize the Authority to delegate to the chief executive officer or other officials of the Authority such of its administrative powers and functions as it may deem proper; to authorize the issuance of general obligation bonds of the state in principal amount not exceeding \$115,000,000 and designating the Authority as the agency of the state with respect to the sale and issuance thereof, and to provide that the said bonds and the income therefrom shall be exempt from all taxation in the state; to authorize the Authority when it deems such action advantageous, to act as the agency to provide for the refunding of any outstanding bonds, matured or unmatured, that were originally issued by the state, the Authority, or the Alabama State Docks Department with respect to State Docks Facilities; and to repeal any parts of laws conflicting with the provisions of this Act.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
13th Day

1149

Yeas 91; Nays 5.

Yeas:

Mr. Speaker	Culver	King	Roberts
Adams	Dill	Kinsey	Robertson
Agee	Doss	Lang	St. John
Bank	Drake	McCluskey	Smith (K)
Barkett	Easters	McCorquodale	Smith (P)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Benton	Erdreich	McNair	Stokes
Boutwell	Falkenburg	Manley	Stubbs
Bowers	Fite	Mathews	Taylor
Brassell	Flippo	Meeks	Therrell
Burgess	Goodwin	Merrill	Timmons
Callahan	Grainger	Mims	Turner
Carter	Gray (F)	Naramore	Turnham
Casey	Grey (D)	Nettles	Waggoner
Cauthen	Hale	Owens	Wallace
Chesnut	Hardin	Parker	Warren
Collins	Harris	Perloff	Weeks
Connell	Headley	Porter	Williams
Coshatt	Hill	Pruitt	Wise
Cottingham	Hobbie	Reed (T)	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross	Jackson	Reynolds	—91

Nays:

Messrs.:	Carnes	Lutz	Waldrop
Boles	Jones (F)		—5

UNANIMOUS CONSENT GRANTED

At the request of Mr. Downing, unanimous consent was granted for the Journal to show that he was temporarily out of the House when the bills, H. 269 and H. 279, were taken up for passage, and that had he been present he would have voted "Yea".

And the bill:

H. 270. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in the promotion, development, construction, maintenance, improvement, expansion, and modernization of the State Docks facilities at the Port of Mobile and along the inland waterways of the State; to authorize the state to become indebted and to issue in connection therewith its interest bearing general obligation bonds in principal amount not exceeding one hundred fifteen million dollars (\$115,000,000); to authorize the state to establish a public corporation with the powers and resources necessary to undertake the obligations authorized by this amendment to be undertaken by the state, including acting as the agency of the state in authorizing, selling, and issuing the said general obligation bonds of the state; to designate the composition of such public corporation; and to authorize such public corporation to appoint a person of at least ten (10) years' experience in marine terminal operations, foreign trade development and transportation in the field of waterborne commerce as the chief executive officer of such public corporation and to fix his term of office and his salary.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 3.

Yeas:

Mr. Speaker	Culver	King	Reynolds
Adams	Dill	Kinsey	Roberts
Agee	Doss	Lang	Robertson
Barkett	Drake	McCluskey	St. John
Barron	Easters	McCorquodale	Smith (K)
Bassett	Edwards	McDonald	Smith (P)
Benton	Ellis	McMillan	Snell
Boles	Erdreich	McNair	Stewart
Boutwell	Falkenburg	Manley	Stokes
Bowers	Fite	Mathews	Stubbs
Brassell	Flippo	May	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Goodwin	Merrill	Timmons
Carter	Grainger	Mims	Turner
Casey	Gray (F)	Naramore	Turnham
Cauthen	Gray (D)	Nettles	Waggoner
Chesnut	Hale	Owens	Wallace
Collins	Hardin	Parker	Warren
Connell	Harris	Perloff	Weeks
Coshatt	Headley	Porter	Williams
Cottingham	Hill	Pruitt	Wise
Crawford	Hobbie	Reed (T)	Wood
Cross	Hughes	Reid (R)	Wynot
Crowe	Jackson		

—94

Nays: Messrs. Carnes, Lutz and Waldrop.

—3

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 1:40 P.M. on June 21, 1973:

H. J. R. 92

H. J. R. 93

H. J. R. 94

H. J. R. 95

H. J. R. 98

H. J. R. 102

H. J. R. 103

H. J. R. 105

H. J. R. 28

H. J. R. 37

REGULAR SESSION
14th Day

1151

H. J. R. 39
H. J. R. 48
H. J. R. 60
H. J. R. 71
H. J. R. 72

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Robertson, the House adjourned until 2:00 o'clock p.m., Tuesday, June 26, 1973.

FOURTEENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 26, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Vern Anderson, Pastor Fundamental Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Carter	Easters	Hearn
Adams	Casey	Edwards	Hill
Adwell	Cauthen	Ellis	Hobbie
Agee	Chesnut	Erdreich	Hughes
Bank	Collins	Falkenburg	Jackson
Barkett	Connell	Fite	Jones (F)
Barron	Coshatt	Flippo	King
Bassett	Cottingham	Gafford	Kinsey
Benton	Crawford	Goodwin	Lang
Boles	Cross	Grainger	Lutz
Boutwell	Crowe	Gray (F)	McBride
Bowers	Culver	Grey (D)	McCluskey
Brassell	Dill	Hale	McCorquodale
Burgess	Doss	Hardin	McDonald
Callahan	Downing	Harris	McMillan
Carnes	Drake	Headley	McNair

Manley	Perloff	Smith (K)	Turnham
Mathews	Porter	Smith (P)	Waggoner
May	Pruitt	Snell	Waldrop
Meeks	Reed (T)	Stewart	Wallace
Merrill	Reid (R)	Stokes	Warren
Mims	Reynolds	Stubbs	Weeks
Naramore	Roberts	Taylor	Williams
Nettles	Robertson	Therrell	Wise
O'Daniel	St. John	Timmons	Wood
Owens	Slate	Turner	Wynot
Parker			

—105

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirteenth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the thirteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirteenth legislative day was approved.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E) due to illness.

RESOLUTION

The following resolution was introduced:

By Mr. McCorquodale:

H. J. R. 116. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Thursday, June 28, 1973, and that when the two Houses adjourn on Thursday, June 28, 1973, they adjourn to meet again on Tuesday, July 10, 1973.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 116, was adopted.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1024. To make supplemental appropriations to various state departments for the fiscal year ending September 30, 1973.

H. 212. To further amend Code of Alabama 1940, Title 51, Section 348, as amended, which relates to the levying of a franchise tax on foreign corporations.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 2. (With Substitute): To amend Act No. 2289, H. 101 of the 1971 Regular Session, which provides a cost of living increase to certain retired members of the Teachers' Retirement System of Alabama, so as to increase the raise in retirement benefits and the appropriation therefor.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 122. To amend Section 1 of Act No. 470, S. 182, 1969 Regular Session (Acts of 1969, p. 912), entitled "An Act To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies," so as to raise the amount provided for in said section.

H. 190. Relating to emergency care by Alabama State Troopers; requiring additional equipment for highway patrol cars and further instruction for troopers; and providing for the payment of costs.

H. 205. Relating to taxation: exempting the Episcopal Foundation of Jefferson County and the Alabama Heart Association and their property from state, county and municipal taxes, licenses, fees and excises, under certain prescribed conditions.

H. 245. Relating to the Thirty-Second Judicial Circuit; providing for an additional circuit judge in such circuit.

H. 251. To make an appropriation to the Department of Public Safety from the General fund of the State for certain communications system conversion requirements as recommended by the State Communications Master Plan.

H. 285. To authorize each of the municipalities in this State to provide buildings and other facilities for lease to and use by one or more regional, national or international association or organization, one or more of the purposes or objects of which shall consist of one or more of the following: the promotion of patriotism or good citizenship, the development of civic pride or consciousness, the improvement of trade, business, professional or economic conditions, or the promotion of health, safety, conservation, community beautification, or community welfare, and the membership of which regional, national or international association or organization shall include (1) persons, firms or corporations residing or domiciled in not less than twelve of the states of the United States, including at least two such members residing or domiciled in the State of Alabama, or (2) local organizations or clubs with like objects or purposes situated in not less than twelve of the states of the United States, including at least two such organizations or clubs situated in

the State of Alabama; to authorize municipalities to acquire one or more projects consisting of buildings for the supplying of offices, storage and related facilities to such regional, national or international organizations, together with any lands or interests therein deemed desirable in connection therewith, to improve, enlarge, expand, equip, furnish, insure and maintain one or more such projects, to lease such properties subject to certain specified requirements, to finance the cost of such acquisition, improvement, enlargement, expansion, equipment and furnishing by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties and to enter into contracts and agreements and to do all acts necessary for or incidental to the performance of the duties and the execution of the powers of a municipality under said Act; to provide that such bonds shall not be subject to the laws of the State of Alabama governing usury; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the Act; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder and any deeds or other documents whereby properties are acquired by a municipality under the Act; to prohibit any municipality from making contributions to the cost of any such properties and from furnishing land therefor; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that the provisions of Act No. 217 of the 1967 Special Session of the Legislature which relate to competitive bidding shall not be applicable to any contracts made by municipalities under the Act; and to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 289. (With Amendment): To make an appropriation from funds in the State Treasury to the credit of the General Fund for the purpose of constructing and equipping a building to house a livestock and poultry disease diagnostic laboratory and an agricultural chemistry laboratory at Auburn, Alabama for use by the Department of Agriculture and Industries.

H. 291. (With Amendment): To make an additional appropriation to the Department of Education for the fiscal year ending September 30, 1973.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 338. To amend Title 51, Section 46, Code of Alabama 1940, which relates to estimating the value of property for the purpose of taxation.

H. 343. To amend Title 36, Section 53, of the Code of Alabama 1940.

H. 370. To amend Title 51, Section 717(1), Code of Alabama, 1940, as recompiled, 1958, so as to provide that certain disabled veterans shall be exempt from all license fees and ad valorem taxes required by or prescribed in Article 8 of Chapter 20, Title 51 of the 1940 Code of Alabama relating to the initial and any subsequent motor vehicles purchased by such veterans.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 417. (With Amendment): To provide for additional employees in the Legislative Reference Service and to further provide for the periodic travel into the various legislative districts in order to aid and assist the legislators in carrying out their duties and makes an appropriation to carry out the provisions of this Act.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 418. To amend the Title and Sections 1, 4, 7, 8, 9, 12, 14, 15, 20 and 21 of the Alabama Turnpike Authority Act, pertaining, respectively, to Legislative Purpose, Powers of the Authority, Bonds and Notes of the Authority, Security for the Bonds, Tolls and Other Charges, Exemptions from Taxation, Projects to be Kept in Good Repair, Regulations and Police Service for Projects, Refunding Bonds and Preliminary Study of Project.

H. 426. To declare the need for training emergency medical technicians; to authorize the state health department to contract with the state department of education to provide such training courses through existing vocational or technical schools and junior colleges; and to appropriate funds therefor.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 447. (With Substitute): To amend further Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p. 2363), as amended, which provided for the inspection and the charging of an inspection fee on certain petroleum products so as to provide that the inspection fee on kerosene or diesel fuel used in the treatment or preservation of wood products shall be one-fortieth of one cent (1/40¢) per gallon.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 488. To require the granting of either compensatory leave or overtime pay to all State, county and municipal law enforcement officers.

H. 516. To increase certain fees prescribed for the Secretary of State to be charged for services performed in connection with service of process in certain cases, and for such purpose to amend further Code of Alabama 1940, Title 7, Sections 192, 193 and 199, as amended; Act No. 415, S. 280, Regular Session 1959 (Acts 1959, p. 1102), as amended; Act No. 128, S. 120, Regular Session 1949 (Acts 1949, p. 154), as amended; and Act No. 1936, H. 256, Regular Session 1971 (Acts 1971, p. 1325), all relating to such fees.

H. 518. To amend further Sections 13 and 21 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055), known as the Alabama Business Corporation Act, as heretofore amended, so as to increase the fees for filing certain statements of incorporation and amendments thereto.

H. 566. Relating to the thirty-seventh judicial circuit; providing for additional circuit court judge in such circuit.

H. 569. To provide for the appointment, duties and compensation of four additional Deputy District Attorneys in judicial circuits composed of one county having a population of 600,000 or more according to the last or any subsequent federal decennial census and to provide when said Act shall go into effect.

H. 610. To create a committee to study and review state government audit agencies and audit practices; to provide for the appointment of its members and to fix their terms of office; to prescribe the functions and duties of the committee; to provide for the compensation of its members and payment of its expenses; and to make an appropriation for the use of the committee.

H. 622. To provide that all retirement income or disability pay received by any retired military personnel shall be exempt from all state, county or city income taxes or like taxes.

H. 632. To appropriate the sum of \$30,000 for each of the fiscal years ending September 30, 1974 and September 30, 1975 out of the State General Fund to the Geological Survey of Alabama.

H. 640. To provide for the compensation to be paid the Deputy District Attorneys who are elected by the people, in all counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same, and to provide the date when said act shall go into effect.

H. 666. To amend Section 28E of Act No. 91, H. 22, 1969 Special Session, (Acts 1969, p. 135) which relates to the capital outlay appropriation in the amount of \$100,000.00 granted to every school board within the State of Alabama, so as to authorize any school board in Marengo County to expend such funds for any educational purpose they desire; to make the provisions of this Act retroactive.

H. 669. To amend Section 2 of Act No. 63 passed at the Extraordinary Session of the Legislature of Alabama of 1971 and approved April 27, 1971, relating to the uniform disposition of unclaimed and abandoned property, so as to provide for the disposition of traveler's checks and money orders that have been outstanding for more than 15 years from the date of issuance; to amend Section 11 of said Act to provide for the omission from the report required by Section 11 of certain information as to traveler's checks and money orders; to amend Section 12 of said Act so as to exempt sums

payable on traveler's checks and money orders from the provisions of Section 12; and to amend Section 13 of said Act in the case of sums payable on traveler's checks or money orders presumed abandoned, to provide for the payment of such sums within 20 days after the filing of the report required by Section 11.

H. 692. To amend Section 3 of Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, as amended, so as to appropriate, from the state's share of the net tax proceeds of the highway gasoline tax, moneys for payment, to the extent necessary therefor at their respective maturities, of the principal of and interest on bonds and notes of Alabama Turnpike Authority, and so as to make further provisions regarding the distribution of said share of the net proceeds from said tax.

H. 693. To amend Section 13 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, as amended (relating to the excise taxes on diesel oil and other motor fuel as defined in said act as amended), so as to provide for distribution of the net proceeds from said taxes for payment, to the extent necessary therefor at their respective maturities, of the principal of and interest on bonds and notes of Alabama Turnpike Authority.

H. 719. To further amend Section 429, Title 51, Code of Alabama 1940, as amended, to eliminate restrictions against levy and assessment of excise taxes by municipalities and counties.

H. 720. To amend Section 747 of Title 37, Code of Alabama 1940, as amended, to authorize municipalities to levy an increased license tax on banks and branch banks.

H. 735. To provide for legislative findings, purpose, and intent, to provide for definitions; to transfer duties to the Alabama Air Pollution Control Commission and the Alabama Water Improvement Commission; to provide for personnel policies; and to provide for repeal of inconsistent laws, and an effective date.

H. 790. To amend further Act No. 999, H. 288, of the Regular Session 1969 (Acts 1969, p. 1855), as amended, which act creates the Alabama Peace Officers Retirement System, amending sections 3, 8, 10, 11, and 14 thereof; so as to provide for increased compensation to board members; to modify the provisions for eligibility and monthly charges as relates to the membership in the retirement funds; and to make various modifications relating to retirement benefits, disability payments, and refunds pursuant to such retirement fund.

H. 793. To amend Section 12, of Title 48, of the Code of Alabama, 1940, as amended, which fixes the compensation of the president and the associate members of the Alabama Public Service Commission.

H. 794. To provide retirement benefits for members of the Alabama Public Service Commission.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar to-wit:

H. 828. (With Substitute): To amend Title 22, Section 199 and 199(1) relating to the system of care for tuberculosis patients.

H. 832. (With Substitute): To amend Sections 1 and 5 of Act No. 21, H. 28, as amended, enacted at the 1969 Special Session of the Legislature of Alabama, relating to raising revenue and levying a tax against certain persons and utilities and prescribing rates and exclusions therefrom, and providing for collecting such tax and enforcing payment thereof, and providing for the disposition of the proceeds from said tax; to delete the phrase "other than by a municipality or other municipal entity organized by a utility" in Section 1, and to add new Sections (h) and (i) to Section 5 of Act 21.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 833. To further amend the title and Section 1 of Act No. 756, H. 733, enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to include, in connection with any industry for the manufacturing, processing or assembling of any agricultural or manufactured products, facilities for producing industrial water for use in connection with the operation of such industry.

H. 860. To amend Section 3 of Act No. 169, H. 27, Regular Session 1945, (Acts 1945, p. 285), as last amended, which section sets the rates of the forest products severance tax, so as to provide for a privilege tax to be levied against the manufacturer or processor utilizing the forest products; and to provide the manner of levying privilege tax.

H. 941. Relating to the Public Service Commission; creating and establishing the Regulatory Personnel Survey Commission which shall examine qualifications, duties and compensation of the existing staff of the Public Service Commission and make recommendations and set standards and policies to enable the Public Service Commission to properly exercise its duties and responsibility to the public; to prescribe the composition, manner of appointment, powers and duties of the Regulatory Personnel Survey Commission; and to provide for its financing out of existing funds.

H. 942. To create the position of people's public service attorney in the Public Service Commission and prescribes his qualifications, duties, powers, and salary.

Mr. Stubbs, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 487. To provide that all contracts for dancing, beauty, health, exercise and reducing services must contain certain provisions and may be cancelled by either party at any time during the life of such contract without any penalty or acceleration of payment; providing penalties for violating provisions of this act.

Mr. Stubbs, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 445. (With Amendment): To further amend the title and Sections 1, 7, 10 and 16 and to amend Sections 14 and 15, all of Act No. 529, General Laws of Alabama, approved September 2, 1949 (Acts of Alabama, 1949, p. 827 et seq.), which relates to plumbers, plumber examining boards and the performance of plumbing work in all counties having populations of not less than 150,000 according to the most recent federal decennial census.

Mr. Stubbs, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1173. To amend Section 13, Act No. 100, Second Special Session 1959, which relates to the sales tax so as to combine notice of failure to make return and notice of assessment of the tax.

H. 1174. To amend Section 12 of Act 100, Second Special Session 1959, to provide for a minimum penalty to be paid when the tax is not paid within the time required by this Act, and to fix the minimum amount of the penalty in instances of collection by agent, and to provide for assessment and collection of penalty.

H. 1175. To amend Section 793, Title 51, Code of Alabama 1940, to provide for a minimum penalty to be paid when the tax is not paid within the time required by this Title, and to fix the minimum amount of the penalty in instances of collection by mail and in instances of collection by agent, and to provide for assessment and collection of penalty.

H. 1176. To amend Section 4, Act No. 100, Second Special Session 1959, so as to require the Commissioner of Revenue to revoke the license of any person who has failed to pay the sales tax; to require vendors to treat as sales at retail sales to persons who do not have a license required by the Sales Tax Act; and to authorize the Commissioner to refuse to issue the license to persons who have no fixed place of business, who are minors or transients, or who are engaged in essentially a service business, or who have no inventory of goods offered for sale.

H. 1177. To amend Section 797, Title 51, Code of Alabama 1940, relating to assessment and appeal under the use tax law.

H. 1178. To amend Section 789, Title 51, Code of Alabama 1940, as amended, to exempt tangible personal property used, stored or consumed by private school boards, private schools and all private educational institutions.

H. 1179. To amend Section 33, as amended, Act No. 100, Second Special Session 1959, to exempt from the tax levied in Act No. 100 the gross proceeds of sales of tangible personal property of private schools, and to exempt sales of school lunches to school children when sales are made in school buildings and are not for profit.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 142. To provide that school principals shall supervise the operation and management of schools under policies determined by local boards of edu-

cation and to assign school principals administrative responsibilities and the coordination of instructional leadership under the supervision of the local school superintendent and to provide that school principals shall have the right to submit to the superintendent recommendations on all personnel.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 213. (With Amendment): To amend Title 52, Section 166 of the Code of Alabama of 1940; to provide that the city board of education shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the state superintendent of education.

H. 214. (With Amendment): To amend Title 52, Section 73 of the Code of Alabama of 1940; to provide that the county board of education shall adopt written policies with regard to education and to provide that such written policies shall be made available to all employees of the board.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 226. To amend Title 52, Section 361, Code of Alabama 1940, as amended by adding new subsection nine (9) and renumbering existing subsections, to provide that a teacher may appeal to the State Tenure Commission in any instance when such teacher has been denied a formal hearing as required by Title 52, Sections 356 and 359, Code of Alabama 1940, as amended.

H. 340. To amend Title 52, Section 351, Code of Alabama, 1940, as amended, to provide that certificated employees of the Alabama Institute for Deaf and Blind, Alabama Industrial School for Boys, Alabama Industrial School for Girls, and Alabama Industrial School at Mt. Meigs shall be defined as teachers and shall be covered under the Alabama Teacher Tenure Law.

H. 350. To amend Act 281, 1969 Regular Session, Pages 616-618, which provides for the promotion of safe school bus transportation; prescribes certain rules and regulations designed to promote its purposes; provides for safety inspections of school buses; provides for certain special equipment for buses and for the special training and licensing of school bus drivers.

H. 351. To amend Section 3 of Act 281, 1969 Regular Session, Pages 616 and 617, appearing in Code of Alabama, Recompiled 1958 and 1969 as Section 433 (48) which provides for the training of school bus drivers and the issuance of special school bus drivers license.

H. 825. Relating to the payment of certification fees by nurses and teachers, allowing such fees to be paid by personal check.

H. 992. To provide for the participation by state institutions of higher learning with private institutions of higher learning in a consortium product contract as a source or purchasing; to provide an effective date for this Act.

H. 1195. To revise and reenact Act No. 14, H. 5, Special Session 1969 (Acts 1969, p. 28), An act to establish the Alabama Commission of Higher Education, so as to change the name of the Commission to the Alabama Commission on Higher Education; to make further provision for the Commission's organization and operations, for the qualifications of its members, and for the position of its chief executive officer; and to strengthen the Commission.

Mr. Smith (P), Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 924. To amend Act No. 799, H. 591 of the Regular Session of 1965 (Acts 1965, p. 1499), which authorized and provided for employment of interpreters when deaf persons or persons having defective speech are either parties to or legally summoned material witnesses in cases, suits, causes, actions or other proceedings, at law or in equity, in circuit courts or courts of record within the state, amending the title and section 1 of such act so as to provide for the employment of interpreters when deaf persons or persons having defective speech are party to or legally summoned material witnesses in any case, suit, cause, action or proceeding, at law or in equity, in any court of the state.

H. 925. To provide for the appointment of qualified interpreters for deaf or mute persons or persons who do not speak or understand the English language in certain court proceedings and other instances.

H. 1131. To amend Sections 16 and 26 of Act No. 1049, S. 8, Legislature of 1969 (Regular Session), approved September 12, 1969 (Acts of 1969, Vol. III, pp. 1939-1965), an Act to provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of carcasses, part thereof, meat and meat food products of such animals, etc.; amend Section 16 of said Act No. 1049 which relates to exemptions from the provisions of said Act by rules and regulations, and amend Section 26 of said Act No. 1049 which relates to enforcement of said Act by injunctive proceedings.

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1067. To further regulate fireworks and for such purposes amends Title 51, Section 526, Code of Alabama 1940, as amended, so as to require that such license be restricted to the sale of sparklers, dip sticks and caps only as allowed under Title 14, Section 125 (6), Code of Alabama 1940, as amended; and to require that said restriction be printed in bold print on the face of the license.

H. 748. To create and establish the State Licensing Board for the Servicing of Mobile Homes; providing for the appointment of said Board, its composition, duties, responsibilities and compensation; providing certain pro-

cedures and fees for examining and licensing servicemen and repairmen; providing for an executive assistant, and necessary employees for said board; and for the disposition of fees received for licensing and examinations.

H. 1114. To amend Section 2, Act No. 312, Acts of Alabama 1959, Vol. 2, p. 889 at 890, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

H. 1113. To amend Act No. 78, Second Special Session, 1955, Acts of Alabama 1955, Vol. 1, p. 199, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

H. 1112. To amend Act No. 100, Section 32, Second Special Session, 1959, Acts of Alabama 1959, Vol. I, p. 298 at pp 314-315, the Alabama Sales Tax Law, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

H. 1111. To further amend Section 5 of Act No. 298, Regular Session, 1947, General Acts of Alabama 1947, p. 149, as amended, by Act No. 589, Acts of Alabama 1963, Vol. II, pp. 1285-1287; as further amended by Act No. 766, Acts of Alabama 1965, Vol. II, p. 1378, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

H. 1110. To amend further Act No. 92, Special Session, 1963, Acts of Alabama 1963, Vol. I, p. 257 at p. 258, as amended, by Act No. 135, Acts of Alabama 1964, pp 199-200, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization of the use of funds.

H. 1109. To amend further Code of Alabama 1940, Title 51, Section 350, as amended, by Act No. 74, Acts of Alabama 1955, Vol. I, p. 191 at p. 192; and as further amended by Act No. 103, Acts of Alabama 1971, Vol. I, pp 184-186, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

H. 1108. To amend further Code of Alabama 1940, Title 51, Section 741, as amended by Act No. 73, Section 2, Acts of Alabama 1955, Vol. I, p. 188 at pp 190-191, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

H. 1037. To provide for the licensing and regulation of certified social workers and social workers; to establish and define the duties and powers of the State Board of Social Work Examiners; to make violation of this Act a misdemeanor, and prescribe a penalty therefor.

H. 423. To require that every pregnant female confined or imprisoned in a county jail be removed to a suitable place or hospital for the birth of her child, and provide for the payment of the expenses incident to the removal, care and safekeeping of such pregnant prisoner.

H. 420. To preclude the birth of a child within the walls of a state penitentiary by requiring the removal from such prison of every pregnant female confined therein to a suitable place or hospital outside the prison walls for the birth of her child, and providing for the payment of the expenses incident to the removal, care and safekeeping of such pregnant convicts.

Mr. Burgess, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bill and

REGULAR SESSION
14th Day

1163

ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 135. (With Amendment): To amend further Code of Alabama 1940, Title 45, Section 144, relating to the allowance for feeding prisoners.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 311. To amend Sections 5 and 6 of Act No. 29, H. 43, Special Session 1970, (Acts 1969-70, Vol. III, p. 2630), which relates to the establishment of Water, Sewer, and Fire Protection Districts in the several counties, to allow staggered terms of office for its directors so as not to affect any other district now in operation.

H. 1031. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of the reappraisal of property in that county required by Act No. 160 adopted at the 1971 Third Special Session of the Legislature; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of certain taxes and other revenues and funds; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; and to provide for the sharing of payment of the principal of and interest on such warrants by all entities receiving any part of the proceeds from ad valorem taxation of property in said county.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 522. (With Amendment): Relating to counties having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census; to provide that patients at institutions for the insane and mentally retarded and patients at veterans' hospitals shall have free use of all public fishing lakes and public recreational facilities in such counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1008. To allow prospective jurors to be excused without the presence of the defendant in criminal cases in the Thirty-seventh Judicial Circuit of Alabama.

H. 1009. Relating to the method of giving notice of the requirement of attendance of jury service in the Thirty-seventh Judicial Circuit of Alabama.

H. 1010. To regulate further the excusing of persons from jury service in the Thirty-seventh Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate

the compensation of jurors summoned for one week, but required to serve in another.

H. 1011. To abolish the drawing of special venires in capital cases in the Thirty-seventh Judicial Circuit of Alabama.

H. 1012. Relating to criminal procedure in the Thirty-seventh Judicial Circuit; providing for the separation of the jury during the trial of a felony by consent of the parties thereto.

H. 1013. To apply only in the circuit court of the Thirty-seventh Judicial Circuit; to provide that in such court the parties to any action, except prosecutions for capital felonies, may at any stage of a trial then pending and whether the jury has retired or not, unanimously consent with legal effectiveness to the discharge from further duty of any member of the jury trying the case, and to a continuation of the trial and the rendition of a verdict by the remaining jurors; and to further provide that in such courts and in such actions the parties may, prior to the commencement of a trial unanimously stipulate in open court with legal effectiveness that in the event it becomes necessary during the pendency of the trial, whether the jury has retired or not, for the court to discharge from further duty any member of the jury trying the case because of the juror's sickness or other good cause, the trial shall continue with and a verdict be rendered by the remaining jurors.

H. 1180. Relating to Pickens County; authorizing nighttime hunting of raccoons and opossums under certain conditions.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 125. To prohibit the taking, catching, capturing, or killing game or non-game fish by use of a gill, trammel or similar type net in the waters impounded by Jordan Dam, Lay Dam, Mitchell Dam and Martin Dam and to prescribe penalties.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 141. (With Amendment): To further amend Act No. 533, Acts of Alabama, 1957 Regular Session, page 750, entitled "An Act to create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the "Professional Foresters Fund," and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation," as amended by Act No. 141, Acts of Alabama, 1961 Special Session, page 2082, and by Act No. 1051, Acts of Alabama, 1969 Regular Session, page 1965.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1134. To designate the Spotted Bass as the official fresh water fish of Alabama.

H. 1133. To further amend Section 8 of Title 8 of the Code of Alabama of 1940, as amended, which pertains to the Advisory Board of Conservation and Natural Resources; providing that two additional members be added to the Advisory Board of Conservation; providing that the semi-annual regular meetings of said Board be held at times designated by chairman of Board or the Commissioner of Conservation and Natural Resources; eliminating requirement that meetings of Board be held in offices of the Department of Conservation and Natural Resources; and eliminating the prohibition on more than two special meetings of Board per year.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 812. (With Amendment): To establish an Alabama Scenic Rivers System; to provide for the selection and maintenance of scenic rivers; to provide for the acquisition of land adjacent to selected scenic river; and to provide for additional powers and duties for the Director of Conservation.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1073. To provide that Dauphin Island, located in Mobile County, be designated a bird sanctuary; providing penalties for the violation of this act.

H. 878. To amend Section 4 of Act No. 1260, S. 79, Regular Session 1971 (Acts 1971, p. 2175), which Act provides for water pollution control and establishes the Water Improvement Commission, so as to provide that the Warrior River from its source to Lock 17 of the U. S. Corps of Engineers shall be classified as fit for swimming, or an equal or higher classification, and be afforded the protection provided to such classification.

H. 1032. To amend Section 106 of Title 8, Code of Alabama 1940, as amended, pertaining to the penalty for killing domestic animals while hunting.

H. 1033. To amend Section 110 (7) of Title 8, Code of Alabama 1940, as amended, pertaining to wildlife management areas, so as to require impoundment of dogs only on those management areas having a building or enclosure suitable for impoundment.

H. 1165. To amend Act 1515, Acts of Alabama, 1971 Regular Session, p. 2629, pertaining to the issuance of annual resident state and county hunting licenses so as to clarify when a hunting license is not required, and by adding thereto as Section 3 thereof the penalty for hunting without the required license.

H. 1125. To rename the State Bureau of Publicity and Information; and to transfer duties and functions now performed by the State Bureau of Publicity and Information.

H. 1127. To authorize the Bureau of Publicity and Information to pre-pay to employees of said Department necessary travel expenses for such employees on authorized official State business outside the State of Alabama; to provide certain limitations as to the amount of such prepaid expenses; and to provide that the Department of Examiners of Public Accounts shall annually examine the expenditure of funds used in accordance with this Act.

H. 1182 RE-REFERRED

On motion of Mr. Ellis to re-refer, the bill, H. 1182, was re-referred from the Standing Committee on Education to the Standing Committee on Ways and Means.

H. 624 RE-REFERRED

On motion of Mr. Cauthen to re-refer, the bill, H. 624, was re-referred from the Standing Committee on Judiciary to the Standing Committee on Health.

H. 653 RE-REFERRED

On motion of Mr. Doss to re-refer, the bill, H. 653, was re-referred from the Standing Committee on Ways and Means to the Standing Committee on Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Wilder:

S. 182. To provide for the operation of a nonprofit ambulance service by the counties of Tallapoosa and Coosa and incorporated municipalities located in said counties.

With notice and proof thereto attached and herewith exhibited as follows:

Let it be known that the following act will be introduced in the Legislature of the State of Alabama at its regular 1973 session.

AN ACT

To provide for the operation of a nonprofit ambulance service by the Counties of Tallapoosa and Coosa and incorporated Municipalities located in the Counties of Tallapoosa and Coosa.

Be It Enacted by the Legislature of Alabama:

Section 1. The Counties of Tallapoosa and Coosa and the incorporated municipalities located in each of such counties are hereby authorized, jointly and severally, to create and establish, maintain and operate an ambulance service to promote the health, welfare and safety of residents of the counties

and cities and citizens and others traveling within the counties. Toward this end the cities and counties may appropriate public funds, employ such personnel, and purchase directly or through designated purchasing agents, which may be one of the counties or cities herein authorized, and maintain such equipment and other facilities as may be needed for such purpose.

Section 2. The governing bodies of the cities and of the counties may by ordinance provide for operation of the ambulance service herein authorized, and may authorize the service to charge and collect fees for services rendered, provided that such charges shall be based solely on the cost of operating the service, which shall not be operated for profit.

Section . This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. Frank Clayton, Publisher, of the Alexander City Outlook, published bi-weekly at Alexander City, Ala., do solemnly swear that a copy of the notice, as per clipping attached, was published four times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated April 4, 1973, and ending with the issue dated April 25, 1973.

J. F. CLAYTON.

Subscribed and sworn before me this 26th day of April, 1973.

VONCILLE M. DEAN,
Notary Public.

My Commission expires January 23, 1975.

McDOWELL LEE,
Secretary

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 182. Local Legislation No. 1.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Merrill, Stewart and Burgess (with notice and proof):

H. 1197. Relating to Calhoun County; to provide further for the salary of certain officials of said county.

Local Legislation No. 1.

Notice and Proof H. 1197:

STATE OF ALABAMA
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Calhoun County; to provide further for the salary of certain officials of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officials of Calhoun County shall receive the following salaries in equal monthly installments from the general fund of said county:

Register of the Circuit Courts	\$13,200 per year
Judge of County Court	18,250 per year
Judge of Juvenile Court	13,200 per year
Two Associate Members of the County Commission, each ..	7,800 per year

The above-listed salaries shall be the total compensation of said officials and shall be paid in lieu of any and all salary and expense allowance heretofore prescribed by law.

Section 2. The salaries provided herein in Section 1 shall become effective upon the expiration of the terms of office held by the incumbent officeholders enumerated herein in Section 1.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was President of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 9, June 11, June 18, and June 25, all in the year 1973.

PHILLIP SANGUINETTI.

Sworn to and subscribed before me June 26, 1973.

ALMUS J. THORNTON,
Notary Public.

By Mr. Merrill:

H. 1198. Relating to the funding of specific programs or projects under the provisions of the Omnibus Crime Control and Safe Streets Act which are for the benefit of counties, municipalities, or any form of local governmental units, but consisting of a combination of two or more of these combined units, shall be required to accept funds made available to them in the form of State provided services as a part or portion of their local "Pass-through" funds as stipulated in the Omnibus Crime Control and Safe Streets Act.

Judiciary.

By Messrs. Benton and Kinsey (with notice and proof):

H. 1199. Relating to Baldwin County; to provide further for the publication of notice before any public street, alley, highway or portion thereof located in Baldwin County can be vacated or abandoned.

Local Legislation No. 1.

Notice and Proof H. 1199:

STATE OF ALABAMA
COUNTY OF BALDWIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Baldwin County; to provide further for the publication of notice before any public street, alley, highway or portion thereof located in Baldwin County can be vacated or abandoned.

Be It Enacted by the Legislature of Alabama:

Section 1. No public street, alley, highway or portion thereof located in Baldwin County shall be vacated under any law of this State or court proceeding until notice thereof has been published in a newspaper published in the town or city situated the closest to the subject street, alley, highway or portion thereof for three successive weeks. Such notice must contain both a legal description and a layman's general description of the street, alley, highway or portion thereof to be vacated or abandoned.

Section 2. The provisions of this Act shall not be held to repeal any existing statute relating to notice required to the closing, changing or vacating of streets and highways, but shall be cumulative.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Michael M. Breedlove, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Fairhope Courier, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 31, June 7, June 14, and June 21, all in the year 1973.

MICHAEL M. BREEDLOVE.

Sworn to and subscribed before me June 25, 1973.

LINDA H. BREEDLOVE,
Notary Public.

My commission expires Dec. 10, 1974.

By Messrs. Benton and Kinsey (with notice and proof):

H. 1200. Relating to crimes and offenses; making it a misdemeanor for any person to dump, throw, place or leave garbage, trash, refuse, or other such debris upon any beach, public or private, within Baldwin County; and prescribing penalties for violating the provisions of this Act.

Local Legislation No. 1.

Notice and Proof H. 1200:

STATE OF ALABAMA
COUNTY OF BALDWIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; making it a misdemeanor for any person to dump, throw, place or leave garbage, trash, refuse, or other such debris upon any beach, public or private, within Baldwin County; and prescribing penalties for violating the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person who places, puts, throws, leaves, or dumps garbage, refuse, trash, bottles, broken glass, tin cans, or other debris of any kind or character whatsoever, upon any beach, public or private, shall be guilty of

a misdemeanor, and upon conviction, shall be fined not more than five hundred dollars, or be sentenced to hard labor for the county for not more than six months or both in the discretion of the court. The judge trying the case may also order the person so littering a beach to clean up such portion of the beach as in his discretion is appropriate.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Michael M. Breedlove, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Fairhope Courier, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 31, June 7, June 14, and June 21, all in the year 1973.

MICHAEL M. BREEDLOVE.

Sworn to and subscribed before me June 25, 1973.

LINDA H. BREEDLOVE,
Notary Public.

My commission expires Dec. 10, 1974.

By Messrs. Benton and Kinsey (with notice and proof):

H. 1201. To promote the maintenance of Baldwin County's natural beauty, by eliminating unsightly and unhealthy litter; to provide for the dissemination in Baldwin County of information pertaining to laws relative to littering and penalties therefor, and of pleas to the public to heed such laws and to help to eliminate litter in such county.

Local Legislation No. 1.

Notice and Proof H. 1201:

STATE OF ALABAMA
COUNTY OF BALDWIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To promote the maintenance of Baldwin County's natural beauty, by eliminating unsightly and unhealthy litter; to provide for the dissemination in

Baldwin County of information pertaining to laws relative to littering and penalties therefor, and of pleas to the public to heed such laws and to help to eliminate litter in such county.

Be It Enacted by the Legislature of Alabama:

Section 1. The Baldwin County Commission or other like county governing body is hereby authorized to provide for printing and furnishing to the judge of probate or other officer charged with the duty of issuing privilege licenses in the county, brochures, bulletins or signs of a type suitable for posting in business establishments within said county. Such brochures, bulletins or signs shall inform the public that:

1. It is unlawful to dump, deposit, place, throw or leave refuse, paper, litter, rubbish, debris, filthy or odoriferous objects, substances, or other trash upon a state or county highway, road or other public thoroughfare; and any person convicted thereof is punishable by a fine of not less than ten dollars nor more than one hundred dollars or by imprisonment for not less than five nor more than thirty days, or by both such fine and imprisonment.

2. It is unlawful to place, put, throw, leave, or dump garbage, refuse, trash, bottles, broken glass, tin cans, or other debris of any kind or character whatsoever upon lands or property owned by any person other than himself or his employer without having obtained written permission from the owner or person in possession thereof; and any person convicted thereof shall be fined not more than five hundred dollars or sentenced to hard labor for the county for not more than six months or both, in the discretion of the court.

3. It is unlawful in Baldwin County to place, put, throw, leave, or dump garbage, refuse, trash, bottles, broken glass, tin cans, or other debris of any kind or character whatsoever on any beach, public or private; and any person convicted thereof shall be fined not more than five hundred dollars or sentenced to hard labor for the county for not more than six months or both, in the discretion of the court, and ordered to clean the beach.

The Baldwin County Commission or other county governing body, in its discretion, may provide for the printing of such brochures, bulletins or other signs listing all three of the above named offenses on one brochure, bulletin or sign or may provide for the printing of separate brochures, bulletins or signs on which each of the above offenses is separately listed.

Section 2. The judge of probate or other officer charged with the duty of issuing privilege licenses in Baldwin County shall deliver with the privilege licenses that he issues, a copy of such brochures, bulletins or signs for each place of business for which a license is issued, and a request that such brochure, bulletin or sign be posted in a conspicuous place in the place of business for which the license or licenses are issued and an urgent plea to the public to heed such laws and make every effort to maintain Baldwin County's natural beauty by eliminating unsightly and unhealthy litter.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. The provisions of this Act are supplemental. It shall be construed in pari materia with other laws relative to littering; however, any law which conflicts specifically herewith is hereby repealed.

REGULAR SESSION
14th Day

1173

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Michael M. Breedlove, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Fairhope Courier, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 31, June 7, June 14, and June 21, all in the year 1973.

MICHAEL M. BREEDLOVE.

Sworn to and subscribed before me June 25, 1973.

LINDA H. BREEDLOVE,
Notary Public.

My commission expires Dec. 10, 1974.

By Messrs. Casey, Bank and Lyons:

H. 1202. Relating to mental health, enacting the Interstate Compact on mental health; providing for the interstate movement of patients; defining terms; providing for the treatment of or transfer of patients between states, regardless of residence, if such transfer would be beneficial to the patient; describing the obligation of the sending and receiving states; providing that the state is not obligated to accept a patient from another state unless agreed to in advance; providing for the payment of costs of transfer; providing for aftercare or supervision; prescribing a procedure to handle the escape of dangerous patients; providing for the transfer of any patient through states; providing for the continuation of legal guardianship responsibilities and allowing the appointment of supplemental or substitute guardians; providing that this Act does not apply to any person institutionalized while under sentence in a penal or correctional institution or while subject to trial on a criminal charge; providing for a compact administrator; providing for supplemental agreement; prescribing a method for withdrawal from the compact.

Health.

By Mr. Casey:

H. 1203. To repeal subsection (2) of Section 14 of Act No. 374 General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act.

Banking.

By Messrs. Bowers, Dill, Lyons, Merrill, Weeks, Boutwell, Gafford, Waggoner, Bank, Downing and Stokes:

H. 1204. To amend Act No. 60, H. 218, Second Special Session 1965, which levies and provides for a "fair trial tax" upon criminal and quasi crimi-

nal cases, amending the title and Sections 3 and 4 thereof so as to provide that in any case where a municipality provides counsel for indigents in its Recorder's Court the fair trial tax collected therein shall be remitted to the City Treasury.

Judiciary.

By Messrs. Connell and Crawford (with notice and proof):

H. 1205. To provide for supplemental salary to be paid by Houston County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Houston County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

Local Legislation No. 1.

Notice and Proof H. 1205:

STATE OF ALABAMA
COUNTY OF HOUSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for supplemental salary to be paid by Houston County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Houston County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the salary paid to the additional Judge, Place Number 2, of the Judicial Circuit embracing Houston County, Alabama, by the State, there shall be paid to the said Judge, the supplemental sum of \$1,500.00 per annum out of the general funds of Houston County, Alabama, in equal monthly installments on the last day of each month, to be paid on the certificate of said Judge.

Section 2. This act shall become effective at the earliest time allowed by law.

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 4-20, 27; 5-4, 11, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in

which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 24th day of May, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Mr. Mathews:

H. 1206. To make an appropriation to the State Auditor to be used to cover the costs of the convention of State Auditors, State Comptrollers, and State Treasurers to be held in Alabama in 1974.

Ways and Means.

By Messrs. Boutwell, McNair and Weeks:

H. 1207. To amend Section 4.06 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, Approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

Local Legislation No. 2.

By Mr. King:

H. 1208. To provide that the chief clerk of the probate court of each county shall have, in addition to his regular duties and with no additional compensation, the duty of working under the registrar as "deputy registrar" of the county for the purpose of enabling any person to register to vote in his county at any time the county is regularly open for business.

Judiciary.

By Messrs. Carter and Cross (with notice and proof):

H. 1209. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Athens, in Limestone County, Alabama, so as to annex certain territory to the City of Athens, in Limestone County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1209:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of the State of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the City of Athens, in Limestone County, Alabama, so as to annex certain territory to the City of Athens, in Limestone County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Athens, Alabama, are hereby altered, rearranged, and extended so as to include within the corporate limits of the said City of Athens, Alabama, the following described territory or area in Limestone County, Alabama, more particularly described as follows:

Begin at a point on the Southern boundary of the presently existing city limits of the City of Athens, Alabama, where the same is intersected by the west boundary of the right of way of the Louisville and Nashville Railroad, said point being 500 feet South of the North Boundary line of Section 20, Township 3 South, Range 4 West; run thence West and along the southern boundary of said presently existing city limits to the half section line running North and South through Section 20, Township 3 South, Range 4 West; run thence South and along the said half section line which runs North and South through said Section 20 to the southern boundary of said Section 20; run thence East and along the south boundary of said Section 20 to the western boundary of the right of way of the said Louisville and Nashville Railroad; run thence South and along the West boundary of said right of way of said Louisville and Nashville Railroad to a point on the West boundary of said railroad which is 1420 feet South of the half section line which runs East and West through Section 29, Township 3 South, Range 4 West; run thence East and parallel to the half section line which runs East and West through said Section 29, Section 28 and Section 27, all in Township 3 South, Range 4 West, to a point on the west boundary of the right of way for Interstate Highway Number 65; run thence North and along the west boundary of said Interstate Highway Number 65 to a point on the south boundary of the presently existing city limits of the City of Athens, Alabama, said point being 500 feet South of the North boundary line of Section 22, Township 3 South, Range 4 West; run thence West and along the South boundary of said existing city limits to the point of beginning.

Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Hollice Smith, Publisher of The Limestone Reporter, who, being by me first duly sworn, deposes and says that

during the times herein mentioned he was Publisher of the Limestone Reporter, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 23, May 30, June 6, and June 13, all in the year 1973.

HOLLICE SMITH.

Sworn to and subscribed before me June 25, 1973.

GAYLE T. WOODWARD,
Notary Public.

By Messrs. Cross and Carter:

H. 1210. Relating to counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census; to amend Section 5 of Act No. 242, H. 310, Third Special Session 1971, (Acts 1971, p. 4511) forbidding the judge of probate from remitting certain funds to the State Highway Department, so as to provide for the removal of the expiration date of said act.

Local Legislation No. 1.

By Messrs. Grainger, Lyons, Doss, McCorquodale, Manley, Waggoner, Wallace, Bowers, Hughes, Smith (P), Adwell, Crowe, McDonald, Carter, McCluskey, Callahan, Collins, Parker, Williams, Gafford, Flippo, Dill, Weeks, Casey, Hale, Meeks, Lang, King and Ellis:

H. 1211. To amend Section 33 of Act No. 100 enacted at the 1959 Second Special Session of the Legislature of Alabama, as heretofore amended, so as to exempt from the provisions of said Act, and from the computation of the amount of sales tax levied, assessed or payable thereunder, the gross proceeds from the sale of all devices, identifiable parts of devices, systems or facilities used or placed in operation in the State of Alabama, or intended for use or operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the gross proceeds from the sale of all materials used in the State of Alabama, or intended for use in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Ways and Means.

By Messrs. Grainger, Lyons, Doss, McCorquodale, Manley, Waggoner, Wallace, Bowers, Hughes, Smith (P), Adwell, Crowe, Carter, McCluskey, Callahan, Collins, Parker, Williams, Gafford, Flippo, Dill, Weeks, Casey, Hale, Meeks, Lang, King and Ellis:

H. 1212. To amend Section 402 of Title 51 of the Code of Alabama of 1940, as heretofore amended, to provide for the allowance of a deduction, for Alabama corporate income tax purposes, for all amounts invested in devices, parts of devices, systems or facilities used or placed in operation in the State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, to pro-

vide for, in lieu of such deduction, the amortization of all such amounts over such period (not exceeding the useful life of the devices, parts, systems or facilities for which such amounts were expended) as shall be specified in the tax return respecting the taxable year during which such amounts were expended and for appropriate deductions of the amounts so amortized, to provide that the taking of any such deductions shall be optional with the taxpayer, to provide that any such deduction, if taken, shall be in lieu of any other allowance for depreciation or obsolescence with respect to such devices, parts, systems or facilities, and to provide that none of such deductions shall be subject to any apportionment or allocation otherwise required and that all thereof shall be allowed in full.

Ways and Means.

By Messrs. Grainger, Lyons, Doss, McCorquodale, Manley, Waggoner, Wallace, Bowers, Hughes, Smith (P), Adwell, Crowe, McDonald, Carter, McCluskey, Callahan, Collins, Parker, Williams, Gafford, Flippo, Dill, Weeks, Casey, Hale, Meeks, Lang, King and Ellis:

H. 1213. To amend Section 789 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt, from the state use tax, the storage, use or consumption of any devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the storage, use or consumption of any materials used primarily for the protection of the public and the public interest through the control, reduction or elimination of air and water pollution.

Ways and Means.

By Messrs. Grainger, Lyons, Doss, McCorquodale, Manley, Waggoner, Wallace, Bowers, Hughes, Smith (P), Adwell, Crowe, McDonald, Carter, McCluskey, Callahan, Collins, Parker, Williams, Gafford, Flippo, Dill, Weeks, Casey, Hale, Meeks, Lang, King and Ellis.

H. 1214. To amend Section 2 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from ad valorem taxation all devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Ways and Means.

By Messrs. Grainger, Lyons, Doss, McCorquodale, Manley, Waggoner, Wallace, Bowers, Hughes, Smith (P), Adwell, Crowe, Carter, McCluskey, Callahan, Collins, Parker, Williams, Gafford, Flippo, Dill, Weeks, Casey, Hale, Meeks, Lang, King and Ellis:

H. 1215. To amend Section 25 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, from the assessed value of the shares of any Alabama corporation for the purpose of taxation of such shares, of the assessed value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in the

State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Ways and Means.

By Messrs. Grainger, Lyons, Doss, McCorquodale, Manley, Waggoner, Wallace, Bowers, Hughes, Smith (P), Adwell, Crowe, McDonald, Carter, McCluskey, Callahan, Collins, Parker, Williams, Gafford, Flippo, Dill, Weeks, Casey, Hale, Meeks, Lang, King and Ellis:

H. 1216. To amend Section 348 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, for purposes of computing the franchise tax on foreign corporations, of all amounts invested in all devices, identifiable parts of devices, systems and facilities used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Ways and Means.

By Messrs. McCluskey, Casey, Smith (P), Edwards, Callahan, Benton, Waldrop and Carnes:

H. 1217. To amend Section 170 of Act No. 407 of the Regular Session 1971, approved August 25, 1971, entitled, "An Act to provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign alien insurance companies, societies, and associations; to provide their rights, powers, and immunities, and to prescribe the conditions on which insurance companies, societies and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; to provide for the imposition of licenses, fees, and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the insurance business within or relative to this State; making appropriations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes;" so as to authorize the Commissioner of Insurance to issue licenses to nonresident persons in cases where the applicant for license is sponsored to the Department of Defense to solicit life and disability insurance from military personnel of the United States on military bases of such country outside its continental limits and within the geographical limits of jurisdictions which do not regulate the solicitation of such applications for insurance on such military bases.

Insurance.

By Messrs. Waggoner, Lyons and Meeks:

H. 1218. To make an appropriation of \$80,000 per year for the next two fiscal years, out of any funds in the State Treasury not otherwise appro-

priated, for use by the State Health Department for Family Planning Services.

Ways and Means.

By Messrs. St. John, Drake and Stokes:

H. 1219. To amend Act No. 691, S. 284, Regular Session 1951, as amended, Code of Alabama, providing for the salary of the official court reporters of the state.

Ways and Means.

By Mr. Callahan:

H. 1220. To provide for the consent of the spouse of a patient having an abortion.

Health.

By Mr. Callahan:

H. 1221. To prohibit the performance of an abortion by anyone other than a licensed medical doctor; to provide penalties for the commission thereof.

Health.

By Mr. Callahan:

H. 1222. To require health insurance policies to contain maternity provisions for unmarried women and to provide coverage for the child of an unmarried woman.

Health.

By Mr. Callahan:

H. 1223. To remove liability of any person, hospital, or associated person who refuses to participate in an abortion.

Health.

By Mr. Callahan:

H. 1224. To provide medical definitions and regulations of the act of medical abortion; requiring records to be kept; providing punishment for unauthorized abortions.

Health.

By Mr. Callahan:

H. 1225. To prohibit the sale of a living fetus; to prohibit any experimentation on a living fetus except to save the life of such; to provide punishment for the violation of this act.

Health.

By Mr. Callahan:

H. 1226. Requiring the inoculation of all school children for German measles; requiring the state to provide such inoculation service if so requested.

Health.

By Messrs. Downing, Carnes, Wynot, Callahan, Ellis, Collins, Roberts, Therrill, Stokes and Bowers:

H. 1227. A bill to authorize the governing body and election officials of those counties using voting machines which produce printouts that contain all required data regarding registering or recording and computing the vote at all elections to use such printout sheets and to make any required certificates or statements thereon; to provide that such shall satisfy the provisions of Alabama Code 1940, Title 17, Chapter 1, Article 7.

State Administration.

By Messrs. Lutz and Hobbie:

H. 1228. To provide a code of ethics of state government and for all state officials and employees therein, and for lobbyists; to establish the Alabama Ethics Commission as a permanent agency of state government, to provide for the appointment and terms of its members, and to prescribe its authority, duties and procedure; and to prescribe penalties for violations of this code of ethics.

Judiciary.

By Messrs. Barron, Harris, Taylor, Hobbie and Jones (F):

H. 1229. To provide for Supernumerary Judges of the County Courts in the various counties of the State of Alabama having a population of more than 150,000 and less than 180,000 according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

Local Legislation No. 4.

By Mr. Jones (F):

H. 1230. To amend Act No. 698, S. 45, Regular Session 1969 (Acts 1969, p. 1252), which prohibits the exposing of obscene and harmful materials to persons eighteen years of age and older so as to exempt certain persons from the provisions of the act.

Health.

By Mr. Taylor:

H. 1231. To propose an amendment to the Constitution of Alabama granting the qualified voters of Montgomery County, by a majority vote of those voting on the question, to consolidate the governing bodies of the County of Montgomery and all municipalities located therein; to establish a procedure for the qualified voters of Montgomery County to call a referendum in the event the majority of the voters of Montgomery County do not approve the constitutional amendment in the general election and to establish a commission to set up a metro-government system for Montgomery County.

Local Legislation No. 4.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Taylor, Harris, Barron, Jones (F) and Hobbie:

H. 1232. To make a conditional appropriation to the State Building Commission to be used for completing the construction and for furnishing and equipping of the addition to the Archives and History Building known as the East Wing thereof.

Ways and Means.

By Mr. Grey (D):

H. 1233. To provide that whenever any eye and physical examination is required of an individual as a prerequisite to employment, the purchase of eye glasses or other visual aids shall not be required until the job applicant shall have passed the physical examination and have been given a valid offer of employment; to make the violation of the provisions of this act a misdemeanor.

Public Welfare.

By Mr. Wood (with notice and proof):

H. 1234. Relating to the General Sessions Court of Mobile County; to further amend Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328) as amended, which creates said court, so as to provide further for the jurisdiction of said court.

Local Legislation No. 3.

Notice and Proof H. 1234:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the General Sessions Court of Mobile County; to further amend Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328) as amended, which creates said court, so as to provide further for the jurisdiction of said court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328) as amended, is further amended to read as follows:

"Section 5. The Court of General Sessions of Mobile County shall have original jurisdiction concurrent with the Circuit Court of all misdemeanors committed within the county. It shall have all the powers and authority in said county which are by the general laws of the state conferred on justices of

the peace in criminal and quasi-criminal cases, includ- the same power to imprison or sentence to hard labor as is possessed by the county courts under the general law.

"The judges of said court are hereby authorized to suspend the execution of jail sentences for a period not to exceed one year, upon such terms and conditions as such judges may deem fit; and to retain jurisdiction of said offences and dependents thereof during such period of suspension. Nothing herein shall be construed to deprive any person of a right to appeal as is provided by law."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 21, May 28, June 4, and June 11, all in the year 1973.

E. E. Koch.

Sworn to and subscribed before me June 20, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. Wood (with notice and proof):

H. 1235. Relating to Mobile County, providing for the destruction of certain civil and criminal case files and records by the clerks of either the Mobile County Court of General Sessions or the Mobile County Inferior Civil Court.

Local Legislation No. 3.

Notice and Proof H. 1235:

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County, providing for the destruction of certain civil and criminal case files and records by the clerks of either the Mobile County Court of General Sessions or the Mobile County Inferior Civil Court.

Be It Enacted by the Legislature of Alabama:

Section 1. The Clerks of the Mobile County Court of General Sessions or Inferior Civil Court in Mobile County are hereby authorized to destroy all files, shucks, envelopes, together with all papers filed therein in all criminal cases in such courts after the expiration of ten years after final judgements; providing that the final judgments have not been appealed within six months from the date of such final judgments.

Section 2. The clerks of said courts are hereby authorized to destroy all files, shucks, envelopes, together with all papers filed therein in all civil cases in such courts after the expiration of eight years after the date of final judgment; providing that the final judgment has not been revived within six years after the date of such final judgment.

Section 3. No authority is herein given to destroy the final docket sheets, fee books or consolidated indexes in said cases, civil or criminal, and such final docket sheets, fee books, and consolidated indexes shall be recognized as being the official and final records in said cases.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, May 24, May 31, and June 7, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me June 20, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. Wood:

H. 1236. To empower any counties having a population of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census to provide for, regulate, and restrict in the unincorporated portions of the county, including the police jurisdiction of incorporated municipalities, the use and construction of buildings, structures and land for trade, industry, and residence, the development of subdivisions, and the placement of roads; to establish setback lines for buildings and structures along the roads and streets.

Local Legislation No. 3.

By Mr. Wood:

H. 1237. To regulate the subdivision of all lands outside the city limits of any municipality in all counties with a population of not less than 300,000 nor more than 600,000, according to the most recent federal decennial census, and to provide penalties for violation.

Local Legislation No. 3.

By Messrs. Wood and Lyons:

H. 1238. Relating to crimes and offenses, further regulating the suspension of sentences of persons convicted of crimes.

Judiciary.

By Mr. Easters:

H. 1239. Relating to counties having a population of not less than 34,100 nor more than 34,900 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Ways and Means.

By Mr. Easters:

H. 1240. To repeal Act No. 1177, H. 2219, Regular Session 1971 (Acts 1971, p. 2033), entitled "An Act Relating to the appointment of the Superintendent of Education by the County School Board in counties having a population of not less than 34,100 and not more than 34,900 according to the most recent federal decennial census," and to provide that the Superintendent of Education in such counties shall henceforth be elected as was provided for by law before the enactment of said Act No. 1177.

Local Legislation No. 1.

By Mr. Hale:

H. 1241. Proposing an amendment to the Constitution of Alabama providing for the registration of certain confined and disabled persons by mail.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Hale:

H. 1242. To authorize and provide for certain physically handicapped persons to register to vote by mail.

Constitution and Elections.

By Messrs. McNair, Boutwell and Reed (T):

H. 1243. Relating to registration of voters; requiring each board of registrars to hold sessions in the evening hours or on Saturdays in order to register voters; providing for the payment of registrars for these sessions; providing for notice of these meetings; repealing inconsistent laws; providing for the severability of this Act; establishing the effective date.

Ways and Means.

By Messrs. Grainger, King, Lutz, Hale and Hearn:

H. 1244. To amend the Title and Sections 7, 11, 14 and 22 of Act No. 780 adopted at the 1961 Regular Session of the Legislature of Alabama, as amended, governing airport authorities incorporated in counties having a population of not less than 110,000 nor more than 165,000 according to the last or any subsequent federal decennial census, which sections pertain, respectively, to powers of such authorities, bonds of such authorities, use of proceeds from the sale thereof and other matters so as to clarify and grant powers regarding the issuance of bonds and notes and regarding industrial development and other business projects undertaken by such authorities and to provide that any such authority now or hereafter incorporated shall have all rights, powers and privileges granted in said act, as amended, regardless of subsequent changes in the population of the county in which such authority was incorporated.

Local Legislation No. 4.

By Messrs. Erdreich and Falkenburg:

H. 1245. To declare it unlawful to name, call or designate any building, bridge, or other structure or any institution, constructed, erected, maintained or financed, in whole or in part, by the State of Alabama after any person whomsoever then living, unless said naming, calling or designation has been approved by a Joint Resolution of the House and Senate of the Alabama Legislature; provided the Act shall not apply to buildings, bridges, or other structures or institutions now existing and to approve, ratify and legalize the naming, calling or designation of any such buildings, bridges or institutions that have been so named after the approval of Act No. 65 of the 1932 Extra Session of the Alabama Legislature, page 86.

State Administration.

By Messrs. Wise and Jackson:

H. 1246. To amend Section 4 of Act No. 1789, H. 1900, Regular Session 1971 (Acts 1971, p. 2957), which act provides for the selection of the Superintendent of Education of Geneva County, so as to further provide for his traveling expense; providing retroactive effect.

Local Legislation No. 1.

By Messrs. Roberts, Cauthen, Dill, King, Flipppo, Culver, Lutz, Grey (D), Naramore, Coshatt, Nettles, Gray (F), Bank, Chesnut, Turnham, Parker, Timmons, Weeks, Adams, Hale, Hearn, Stokes, Waldrop, Reid (R), Agee and Easters:

H. 1247. Requiring fluoridation of public water supplies; prescribing the powers and duties of the State Board of Health in relation thereto.

Health.

By Messrs. Stokes, Roberts, Wood, Downing, Callahan and Lyons:

H. 1248. To supplement Act No. 107 adopted at the 1965 First Special Session of the Legislature of Alabama, as heretofore amended, so as to provide a comprehensive system of law applicable to any corporation organized pursuant to the said Act, the service area of which includes a resort area and which has obtained the express approval of the governing body of each county in which it carries on its operations to exercise the powers conferred hereby; to permit such a corporation to construct improvements consisting of sanitary sewers and sewer facilities in resort areas located within its service area which are outside the corporate limits of any municipality and within the service area of such corporation; to provide a method for the assessment of the cost of any such improvements against the property abutting on, or drained, served, or benefited by such improvements; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for public advertisement for bids for the construction of the improvement; to provide for supervision of the work; to provide for the levy of assessments on the property benefited by any improvement; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for any defects or errors therein; to provide for a hearing on the proposed assessments and making the same final; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide a system for appeals from the making of such final assessment; to provide a system for payment of all assessments and for default in such payments; to authorize lands subject to such liens to be sold in satisfaction thereof and a system for the redemption of such lands after any such sale; to establish a procedure for the termination of any right of redemption; to provide a system for the issuance of notes or bonds to finance any such improvements; to exempt any securities issued hereunder from Chapter 6 of Title 12 of the Code of Alabama of 1940, as heretofore or hereafter amended; to specify requirements with respect to any such notes or bonds; to require public sale thereof with certain exceptions; to provide for the refunding thereof under specified circumstances; to provide that any such bond shall be incontestable after a specified period; to provide that all such bonds and notes and the interest thereon shall be exempt from taxation; to provide for the replacement of lost, destroyed or mutilated bonds and for the refunding of outstanding bonds; to establish sinking fund accounts for the payment of bonds and for the grouping of improvements for a single bond issue; to specify the use of funds received from the said assessments and

to establish liability on official bonds for the handling of such funds; to provide for a refund of excess collections in certain circumstances; to provide for the effect of annexation or incorporation of an area in which assessments have been made; to provide for the severability of the provisions of this act and for the repeal of inconsistent laws; and to establish the effective date of this act.

Local Government.

By Mr. Stokes:

H. 1249. To prescribe the procedure for securing the attendance of witnesses from without the state in criminal proceedings in Alabama and of witnesses within this state in criminal proceedings in other states and providing penalties for failure to obey a summons to testify issued pursuant to this act.

Judiciary.

By Messrs. St. John and Wood:

H. 1250. To authorize any public corporation organized under the provisions of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama to merge into any public corporation organized or the certificate of incorporation of which has been amended under the provisions of Act No. 175 enacted at the 1951 Regular Session of the Legislature of Alabama; to prescribe the means for accomplishing such merger and the effect thereof; and to prohibit any such merger except in cases where the merging corporation was created and the incorporation of the surviving corporation was authorized by the same municipality and the surviving corporation has authority to own and operate any utility system or systems of the same general nature as that or those owned by the merging corporation.

Local Government.

By Mr. Stokes:

H. 1251. To require that all roadways in new or expanded subdivisions in any county having a population of not less than 300,000 nor more than 600,000 be provided with pavement and other requirements as specified by the County Engineer.

Local Legislation No. 3.

By Mr. Stokes:

H. 1252. To amend Section 19 of Act No. 374, H. 102, Regular Session 1959, (Act 1959, p. 966), known as the "Alabama Small Loan Act", to provide that a judge need not interrogate the plaintiff in a suit of indebtedness under such act, if certain formalities are met by said plaintiff prior to such interrogation.

Banking.

By Mr. Roberts:

H. 1253. To provide for Legislative findings, purpose, and intent; To provide for definitions; To authorize the State Board of Health and County Boards of Health to adopt and promulgate rules and regulations for the con-

struction, maintenance and operation of trailer courts; To provide for the submission of all plans and specifications applying to the construction, maintenance and operation of trailer courts; To provide for the approval of plans and specifications for the construction, maintenance and operation of trailer courts, and the issuance of permits for construction; To provide penalties for violation of this Act; and to provide for severability, repeal of inconsistent laws and an effective date.

Local Government.

By Messrs. Boles and Waldrop:

H. 1254. To further amend Section 2 of Act No. 470, S. 182, Regular Session 1969, (Acts 1969, p. 912), as amended, which section relates to the regulation of the payment of expenses of state officers and employees traveling on official business for the state, so as to exempt state junior college personnel from having to secure the approval of the Governor for out of state travel expenses.

Education.

By Messrs. Hobbie, Headley, Carnes, Wynot, Barron, St. John, Drake, Merrill, Harris, Casey, Culver, Grainger, Easters and Waggoner:

H. 1255. Relating to law enforcement officers; requiring any unit or agency of state, county or municipal government which employs any duly authorized law enforcement officer to reimburse such officer who is sued or prosecuted for any act committed or done within the line and scope of his duties, for legal counsel fees, witness fees and court costs paid in defense of such suit or prosecution; authorizing the attorney general to prescribe the method of determining whether the act in question was committed in line of duty; and to repeal conflicting laws.

Judiciary.

By Mr. May (with notice and proof):

H. 1256. To alter and rearrange the boundary lines of the city of Atmore, Alabama, so as to include within the corporate limits of said city all territories now within such corporate limits and also certain other territory in Escambia County, Alabama, contiguous to said city.

Local Legislation No. 1.

Notice and Proof H. 1256:

LEGAL NOTICE

Notice is hereby given that a local bill reading substantially as follows will be introduced for passage by the Legislature of the State of Alabama:

An Act to Alter and Rearrange the Boundary Lines of the City of Atmore, Alabama, So As to include Within the Corporate Limits of said City All Territories Now Within Such Corporate Limits and Also Certain Other Territory in Escambia County, Alabama, Contiguous to Said City:

Be It Enacted by the Legislature of the State of Alabama:

Section 1. That from and after the passage and approval of this Act the boundary lines of the City of Atmore, Escambia County, Alabama, be, and the same are altered and rearranged so as to include within the corporate limits of said City in addition to the territory included within its present corporate limits, the territory described as follows:

PARCEL NO. 1

Commence at the Northeast Corner of the Northwest Quarter of the Northeast Quarter (NE Cor. of NW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Twenty-five (25), Township One (1) North, Range Five (5) East, and run thence West along the North line of said Section Twenty-five (25) a distance of 1658.73 feet to the point of beginning, said point being located on the West side of a street running North from Highway 31 to the North side of said Section Twenty-five (25); from the point of beginning run thence West along the North line of said Section Twenty-five (25) and Section Twenty-six (26), Township One (1) North, Range Five (5) East, a distance of 6261.27 feet to the Northwest Corner of the East one-half of the Northwest Quarter of said Section Twenty-six (26); thence run South to the North line of the right of way of the L & N Railroad; thence in a Easterly direction along the North line of the right of way of the L & N Railroad to a point on the West side of said street that runs from U. S. Highway 31 to the North side of Section Twenty-five (25), said point being due South of the point of beginning; thence run North along the West line of said street to the point of beginning, said tract containing 240 acres, more or less.

PARCEL NO. II

Beginning at the Southeast Corner of the Southeast Quarter of the Southwest Quarter (SE Cor. of SE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Twenty-four (24), Township One (1) North, Range Five (5) East; thence Northerly along the East line of said Southwest Quarter 237.06 feet to the right of way line of the Industrial Park Perimeter Road; thence in a Westerly direction along the said South right of way line 257.80 feet to the East right of way line of the Industrial Park West Perimeter Road; thence Southerly along said West right of way line 237.06 feet to the South line of said Section Twenty-four (24); thence in an Easterly direction along said South line 257.80 feet to the point of beginning, containing 1.4 acres, more or less.

PARCEL NO. III

Also, beginning at a point in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Twenty-four (24), Township One (1) North, Range Five (5) East, said point being the Northeast corner of the Water Works Plant Site owned by the City of Atmore; thence South 88 deg. 36' West, 208.71 feet to the Northwest corner of said Water Works Plant Site; thence along the West boundary of said Water Works Plant Site South 1 deg. 24' East, 208.71 feet to the North right of way line of the Industrial Park Perimeter Road; thence in a Westerly direction along said North right of way line 1036.10, more or less, to the West boundary of said Southwest Quarter; thence in a Northerly direction along said West boundary 1022.9 feet, more or less, to the North boundary of said Southwest Quarter; thence in an Easterly direction along said boundary 1223 feet; thence in a Southerly direction and parallel with the East boundary of said Southwest Quarter 805

REGULAR SESSION
14th Day

1191

feet, more or less to the point of beginning, containing 27 acres, more or less. The Water Works Plant Site referred to in this pragraph is described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of the Southeast Quarter (SE Cor. of SW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Twenty-four (24), Township One (1) North, Range Five (5) East; thence Westerly along the South line of said Section 214.84 feet, more or less; thence North 303.04 feet, more or less to the North line of a public right of way and the point of beginning; thence Westerly along said North right of way line 106.23 feet; thence North 208.71 feet; thence East 208.71 feet; thence South 208.71 feet to said North right of way line; thence in a Westerly direction 208.71 feet along said North right of way line to the point of beginning.

PARCEL NO. IV

The Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Twenty-four (24), Township One (1) North Range Five (5) East, containing 40.44 acres, more or less.

Section 2. This Act shall go into effect immediately upon its approval by the Governor.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
ESCAMBIA COUNTY

Harvey Cooke, being duly sworn, deposes and says that he is the Manager of The Atmore Advance, a Weekly Newspaper published at Atmore, Escambia County, Alabama; that the notice hereto attached was published in said newspaper for 4 consecutive weeks in the following issues: May 17, May 24, May 31 and June 7, 1973.

HARVEY COOKE.

Subscribed and sworn before the undersigned this 14th day of June 1973.

MOLLY A. NORRIS,
Notary Public.

My Commission expires Jan. 21, 1975.

By Mr. Owens:

H. 1257. To amend Section 120 of Act 407, H. B. 198, Regular Session, 1971, (Acts of Alabama, 1971, Volume II, Page 774) which regulates the licensing of insurance agents.

Insurance.

By Messrs. Stubbs, Wynot, Headley, Burgess, Lyons, Drake, Robertson, Grainger, Williams, Bowers, Waggoner, Easters, Therrell, Reid (R), Carnes, Grey (D), Goodwin, Waldrop and Downing:

H. 1258. To amend Section 8, Title 26, Chapter 1, Code of Alabama 1940, as last amended, relating to the pay for members of the Board of Appeals of the Department of Industrial Relations.

Business and Labor.

By Messrs. Stubbs, Wynot, Headley, Burgess, Lyons, Drake, Robertson, Grainger, Williams, Bowers, Meeks, Waggoner, Easters, Therrell, Reid (R), Carnes, Grey (D), Goodwin, Waldrop and Downing:

H. 1259. To amend Section 198, Subsections C and F of Section 201, Paragraph 3 of Subsection C of Section 204, Section 207, Subsections B and C of Section 214, Subsections C and D of Section 216, Section 239 and Paragraph (1) of Subsection F of Section 240, Title 26, Chapter 4, Code of Alabama 1940, relating to appointment of an Alternate Treasurer, merging of non-profit organizations, financing unemployment benefits by political subdivisions, extending the time limit an employer may file a claim for credit for rehire, increasing the maximum weekly benefit amount, limiting disqualifications for certain separations and increasing the penalty for other separations, non-charging an employer's experience rating record, crediting the employer's experience rating record when a decision allowing benefits is reversed by an appellate authority, providing a fine for an employer failing to file a contribution report, relieving newly subject construction contractors of the requirement to provide surety and permitting the requirement of surety from delinquent construction contractors.

Business and Labor.

By Mr. Jones (F):

H. 1260. To amend Section 6 of Act No. 350, S. 434, Regular Session 1971 (Acts 1971, p. 642), which act provides for city planning and zoning in incorporated cities having populations of not less than 70,000 nor more than 135,000, according to the most recent federal decennial census and creates a planning commission for such cities and prescribes the powers and duties of such commissions; so as to limit the powers of such commission with respect to rezoning certain areas.

Local Legislation No. 4.

By Messrs. Timmons, Ellis and McBride:

H. 1261. Relating to the Teacher's Retirement System; to allow prior service credit for certain service as a teacher in another state.

Ways and Means.

By Mr. Headley:

H. 1262. To create a Governor's Advisory Committee on Regional Planning and Development to advise the Governor and the Legislature on planning, service delivery, physical and human resource development and related matters within the sub-state planning and development districts; to provide for its membership; to require such committee to meet with the Governor semi-annually; to make an annual and semi-annual report to the Governor; provide for distribution of the annual report; to provide for the employees of the committee; and to provide for the funds for operation of such committee.

State Administration.

By Messrs. McNair, Adwell, Mims, Manley, Reed (T) and Ellis:

H. 1263. Regulating the construction of apartment houses or single apartment; requiring two separate stairways or exits as a means of regress

from either end of an apartment; providing for inspection of, and penalties for, the conformity or violation of this act.

Public Welfare.

By Mr. Stokes:

H. 1264. To provide that itemized repair bills shall be admissible as evidence without further proof.

Insurance.

By Messrs. Crawford and Connell:

H. 1265. To amend the title and Section 1 and Section 2 and Section 3, of Act No. 920, H. 1712, Regular Session, 1971 (Acts 1971, Page 1680), which authorizes the County Commission to pay the salaries of clerks for the Tax Assessor and the Tax Collector in certain Counties classified on a population basis.

Local Legislation No. 1.

By Messrs. Crawford and Connell:

H. 1266. Relating to counties having a population of not less than 13,200 nor more than 13,800 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Ways and Means.

By Messrs. Crawford and Connell (with notice and proof):

H. 1267. To amend Act No. 1171, Section 3, fixing the salary of Deputy District Attorney No. 1 and Deputy District Attorney No. 2 of Henry County, Alabama, and providing for payment thereof.

Local Legislation No. 1.

Notice and Proof H. 1267:

**NOTICE OF PROPOSED
LOCAL LEGISLATION**

**STATE OF ALABAMA
HENRY COUNTY**

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT
TO AMEND ACT NO. 1171,
SECTION 3,
FIXING THE SALARY OF
DEPUTY DISTRICT**

ATTORNEY NO. 1 AND
DEPUTY DISTRICT
ATTORNEY NO. 2
OF HENRY COUNTY,
ALABAMA, AND
PROVIDING FOR PAYMENT THEREOF.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 3 of Act No. 1171 enacted by the Regular Session of the 1971 Legislature be and the same is hereby amended to read as follows:

"Section 3. The salary of Deputy District Attorney No. 1 shall be fixed by the District Attorney of the Twentieth Judicial Circuit at a sum not to exceed \$2400.00 per annum, payable out of the County Treasury of said County in equal monthly installments, as provided by law for the payment of salaries out of the general fund of said County, The salary of Deputy District Attorney No. 2 shall be fixed by the District Attorney of the Twentieth Judicial Circuit at a sum not to exceed \$2400.00 per annum, payable out of the County Treasury of said County in equal monthly installments, as provided by law for the payment of salaries out of the general fund of said County, The salary of Deputy District Attorney No. 2 shall be fixed by the District Attorney of the Twentieth Judicial Circuit at a sum not to exceed \$2400.00 per annum, payable out of the County Treasury of said County in equal monthly installments, as provided by law for the payment of salaries out of the general fund of said County."

Section 2. That all laws or parts in conflict with the provisions of this Act are hereby expressly repealed.

Section 3. This Act shall take effect on the 1st day of the month next following the date of its enactment.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
HENRY COUNTY

Before me, Ann Marshall Peebles, a Notary Public in and for said County, in said State, personally appeared Nathalie S. Dodd, who is known to me, and who by me being duly sworn, deposes and says that she is the co-publisher of The Abbeville Herald, a newspaper published in the town of Abbeville, County of Henry, State of Alabama; that the attached notice is a true and correct copy of the notice which was published in said newspaper for four consecutive weeks, on, to-wit: May 24, May 31, June 7 and June 14, 1973.

NATHALIE S. DODD,
Co-Publisher.

Sworn to and subscribed before me, this 15th day of June, 1973.

ANN MARSHALL PEEBLES,
Notary Public.

By Messrs. Crawford and Connell (with notice and proof):

H. 1268. Relating to Henry County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298) as amended, and the Code of Alabama, 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act.

Local Legislation No. 1.

Notice and Proof H. 1268:

NOTICE OF PROPOSED
LOCAL LEGISLATION

STATE OF ALABAMA
HENRY COUNTY

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

Relating to Henry County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298) as amended, and the Code of Alabama, 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act.

Be It Enacted by the Legislature of Alabama:

Section 1. All words, terms, and phrases that are defined in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, the state sales tax act, and in Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended, shall, where used in this act, have the meanings respectively ascribed to them in said Act No. 100 and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as heretofore amended, except where the context herein clearly indicates a different meaning. In addition, the following words, terms and phrases where used in this act shall have the following respective meanings except where the context clearly indicates a different meaning:

"State sales tax statutes" means Act. No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), which levies a retail sales tax for state purposes, and includes all statutes, including amendments to said Act No. 100, heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Act No. 100 and all other statutes heretofore en-

acted which expressly apply to, or purport to affect, the administration of said Act and the incidence and collection of the tax imposed therein;

"States sales tax" means the tax imposed by the state sales tax statutes;

"State use tax statutes" means the Code of Alabama 1940, Title 51, Chapter 20, Article 11, as heretofore amended, including all statutes heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Article 11 and all other statutes heretofore enacted which expressly apply to, or purport to affect the administration of the said article and the incidence and collection of the tax imposed therein;

"State use tax" means the tax imposed by the state use tax statutes;

"Registered seller" means the person registered with the State Department of Revenue pursuant to the state use tax statutes or licensed under the state sales tax statutes;

"Month" means the calendar month;

"Quarterly period" means the period of three months ending on the last day of each March, June, September, and December;

"Fiscal year" means the period commencing on October 1 of each calendar year and ending on September 30 of the next succeeding calendar year.

Section 2. There are hereby levied and imposed in Henry County, in addition to all other taxes of every kind now imposed by law, county privilege or license taxes to be determined by the application of rates against gross sales or gross receipts as the case may be, as follows:

1. Upon every person, firm, or corporation (not including the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC stores) engaged or continuing within Henry County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, (not including, however, bonds or other evidence of debt or stocks), and amount equal to one percent of the gross proceeds of sales of the business. Any person engaging or continuing in business as a retailer and wholesale or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified when his books are kept, so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10¢) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10¢) per sale and shall file with the State Department of Revenue a sworn statement to that effect and shall keep and maintain records satisfactory to the State Department of Revenue, the gross receipts tax herein provided for shall not be levied.

2. Upon every person, firm, or corporation engaged or continuing within Henry County in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches,

prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or a city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within Henry County, an amount equal to one percent of the gross receipts of any such business.

3. Upon every person, firm, or corporation engaged or continuing within Henry County in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer, farm tractors and other farm machinery, or house trailer, and amount equal to one fourth of one per cent of the gross proceeds of sale of said automotive vehicle or truck trailer, semi-trailer, farm tractors and other farm machinery, or house trailer provided, that where any such automotive vehicle or truck trailer, semi-trailer, farm tractors and other farm machinery, or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

4. Upon every person, firm or corporation engaged or continuing within Henry County in the business of selling at retail machines used in farming, mining, quarrying, compounding, processing and manufacturing of personal property an amount equal to one-fourth of one percent of the gross proceeds of the sale of such machines; provided, that the term "machines", as herein used, shall include machinery which is used, for farming, mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines, and are customarily so used.

5. There are exempted, however, from the provisions of this section and from the computation of the amount of the tax imposed in this section the gross receipts of any business and the gross proceeds of all sales which are presently exempted under the state sales tax statutes from the computation of the amount of the state sales tax.

6. An excise tax on the storage, use, or other consumption in Henry County of tangible personal property purchased at retail, on or after the first day of the month next succeeding the month during which this act shall become a law, for storage use or other consumption in Henry County, at the rate of one percent of the sale price of such property, regardless of whether the retailer is or is not engaged in business in Henry County or in this State, except as provided in subsections 7 and 8 of this section.

7. An excise tax on the storage, use or other consumption in Henry County of any automotive vehicle, or truck trailer, semi-trailer, or farm tractor or other farm machinery, or house trailer purchased at retail on or after the first day of the month next succeeding the month during which this act becomes a law for storage, use or other consumption in this State at the rate

of one-fourth of one percent of the sales price of such automotive vehicle or truck trailer, semi-trailer, or farm tractor and other farm machinery, or house trailer. Where any used automotive vehicle or truck trailer, semi-trailer, farm tractor and other farm machinery or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

8. An excise tax is hereby imposed on the storage, use, or other consumption in Henry County of any machines used in farming, mining, quarrying, compounding, processing, and manufacturing of tangible personal property, purchased at retail on or after the effective date of this act, at the rate of one-fourth of one percent of the sales price of any such machine; provided, that the term "machine", as herein used, shall include machinery which is used for farming, mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and as customarily so used.

9. There are exempted, however, from the provisions of this section and the tax imposed in this section the storage, use, or other consumption of property the storage, use or other consumption of which is presently exempted under the state use tax statutes from the state use tax. Subject to these exemptions, every person storing or using or otherwise consuming in Henry County tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the tax has been paid by such person as herein provided; provided, however, that a receipt from registered seller given pursuant to Section 4 of this act to the purchaser of any property to be used, stored, or consumed in Henry County shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 3. The taxes levied in Section 2, subsections 1, 2, 3, and 4 of this act shall be due and payable in monthly installments on or before the twentieth day of the month next succeeding the month in which the tax accrues; and the taxes levied in Section 2, subsections 7 and 8 of this act shall be due and payable quarterly on or before the twentieth day of the month next succeeding each quarterly period during which the storage, use, or other consumption of the tangible personal property became taxable hereunder, each such quarterly period to end on the last days of each of the months of March, June, September and December. All taxes levied in this act shall be paid to and collected by the State Department of Revenue at the same time and along with the collections of the state sales tax and the state use tax. On or prior to the due dates of the taxes herein levied each person subject to such taxes shall file with the State Department of Revenue a report in such form as may be prescribed by the department, setting forth, with respect to all sales and business that are provided in section 2, subsections 1, 2, 3 and 4 hereof to be used a measurement of the tax levied in said Section 2, subsections 1, 2, 3 and 4, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business and setting forth, with respect to the tax levied in Section 2, subsections 6, 7, and 8 hereof, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax imposed by said Section 2, subsections 6, 7, and 8, during the

preceding quarterly period; however, that said report shall include also such other items of information pertinent to the said taxes in the amount hereof as the State Department of Revenue may require. Any person subject to the taxes levied in Section 2, subsections 1, 2, 3 and 4, hereof, may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the State Department of Revenue under this section shall be available for inspection by the chairman of the Henry County governing body, or his designated agent at reasonable times during business hours.

Section 4. Every registered seller making sales of tangible personal property for storage, use, or other consumption in Henry County (which storage, use or other consumption is not herein exempted from the tax imposed in Section 2, subsections 6, 7, and 8 hereof), shall at the time of making such sale or if the storage, use, or other consumption of such tangible personal property in Henry County is not then taxable under this act, at the time such storage, use or other consumption becomes taxable hereunder, collect the tax imposed by Section 2, subsections 1, 2, 3, and 4 of this act from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the State Department of Revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 3 hereof, each registered seller shall file with the State Department of Revenue a return for the preceding quarterly period in such form as may be prescribed by the department showing the total sales of the tangible personal property sold by such registered seller, the storage, use, or other consumption of which became subject to the tax imposed by Section 2, subsections 6, 7 and 8, of this act during the then preceding quarterly period and each return shall be accompanied by a remittance of the amount of the tax herein required to be collected by such registered seller during the period followed by the return provided that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period and shall remit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in Henry County need not file a report or make any further payment of the said tax, but each person who purchases tangible personal property the storage, use or other consumption of which is subject to the tax imposed by Section 2, subsections 6, 7, and 8 of this act and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 3.

Section 5. Each person engaging or continuing within Henry County in a business subject to the taxes levied in Section 2, subsections 1, 2, 3, and 4 of this act shall add to the sales price and admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes levied in said Section 2, subsections 1, 2, 3, and 4; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required by Section 4 hereof to collect. It shall be unlawful for any person subject to the tax levied in said Section 2, subsections 1, 2, 3, and 4 to fail or

refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed by Section 2, subsections 6, 7 and 8, of this act or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of, said tax or any portion thereof.

Section 6. The taxes imposed by this act shall constitute a debt due the Henry County governing body and may be collected by civil suit, in addition to all other methods provided by law and in this act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All of the provisions of the revenue laws of this State which apply to the enforcement of lien for license taxes due this State shall apply fully to the collection of the taxes herein levied, and the State Department of Revenue, for the use and benefit of the Henry County governing body shall collect such taxes and enforce this act and shall have and exercise for such collect and enforcement all rights and remedies that this State or the department has for collection of the state sales tax and the state use tax. The State Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this act, and to otherwise enforce the provisions of this act, including any litigation involving this act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for the Henry County governing body.

Section 7. All provisions of the state sales tax statutes with respect to payment, assessment, and collection of the state sales tax, including discounts to licensees, making of monthly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state sales tax statutes, the promulgation of rules and regulations with respect to the state sales tax, and the administration and enforcement of the state sales tax statutes, which are not inconsistent with the provisions of this act when applied to the tax levied in Section 2, subsections 1, 2, 3, and 4 hereof, shall apply to the tax levied in the said Section 2, subsections 1, 2, 3, and 4, and all provisions of the state use tax statutes with respect to payment, assessment and collection of the state use tax, making quarterly reports and keeping and preserving records with respect thereto, interest after due date of tax penalties for failure to pay tax, make reports or otherwise comply with the state use tax statutes, the promulgation of rules and regulations with respect to the state use tax and the administration and enforcement of the state use tax statutes, which are not inconsistent with the provisions of this act when applied to the tax levied in Section 2, subsections 6, 7, and 8, hereof shall apply to the tax levied in the said Section 2, subsections 6, 7, and 8. The State Commission of Revenue and the State Department of Revenue shall have and exercise all of the same powers, duties and obligations with respect to the taxes levied in Section 2, hereof that are imposed on the commissioner and the department, respectively, by the state sales tax statutes and the state use tax statutes. All provisions

REGULAR SESSION
14th Day

1201

of the state sales tax statutes and state use tax statutes that are made applicable in this act to the taxes herein levied and to the administration of this act are hereby incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 8. The State Department of Revenue shall charge the Henry County governing body for collecting said special taxes herein levied by this act, the cost of making such collections which charge shall not exceed five percent of the amount collected. Such charge may be deducted once each month from the special sales and use taxes collected before certifying the amount of special taxes due Henry County governing body. The Commissioner of Revenue shall pay into the state treasury all taxes collected under this act, as such taxes are received by the Department of Revenue; and on or before the tenth day of each successive month (commencing with the month following the month in which the department makes the first collection hereunder), the commissions shall certify to the state comptroller the amount of taxes collected under the provisions of this act and paid by him into the state treasury for the benefit of the Henry County governing body during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of the Henry County governing body during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the Henry County governing body in an amount equal to the amount so certified by the Commissioner of Revenue as having been collected for the use of the Henry County governing body and paid into the state treasury.

Section 9. One-half of the proceeds from the taxes herein levied may be used for the purposes of the General Fund of Henry County, Alabama, and may be expended for such purposes as in the judgment of the governing body are meet and proper, and one-half of the proceeds from the taxes herein levied may be used for public school purposes, and shall be disbursed to the Henry County Board of Education and may be expended for such purposes in the judgment and opinion of the Henry County Board of Education are meet and proper.

Section 10. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains, provided, however, that if the provisions for holding the election specified herein are declared invalid or unconstitutional then the entire act shall be invalid or unconstitutional and no tax shall be levied under the provisions of this Act.

Section 12. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
HENRY COUNTY

Before me, Ann Marshall Peebles, a Notary Public in and for said County, in said State, personally appeared Nathalie S. Dodd, who is known to

me, and who by me being duly sworn, deposes and says that she is the co-publisher of The Abbeville Herald, a newspaper published in the town of Abbeville, County of Henry, State of Alabama; that the attached notice is a true and correct copy of the notice which was published in said newspaper for four consecutive weeks, on, to-wit: May 24, May 31, June 7 and June 14, 1973.

NATHALIE S. DODD,
Co-Publisher.

Sworn to and subscribed before me, this 15th day of June, 1973.

ANN MARSHALL PEEBLES,
Notary Public.

By Messrs. Crawford and Connell:

H. 1269. Relating to Counties having a population of not less than 13,200 nor more than 13,800 according to the most recent Federal decennial census; to grant an allowance to the Circuit Clerk of such Counties for clerical assistance.

Local Legislation No. 1.

By Messrs. Crawford and Connell (with notice and proof):

H. 1270. To create a court with County wide limited jurisdiction of criminal cases and civil action which court shall be called the Inferior Court of Henry County, Alabama; to provide for the jurisdiction of said Inferior Court of Henry County, Alabama; to provide for regular monthly sessions of said Inferior Court of Henry County, Alabama, as to civil cases and criminal cases; to provide for the jurisdiction and powers of the court hereby established and the officers thereof; to fix their duties, powers, authority and compensation, their election or appointment, terms of office, and for costs and fees in such court; to abolish the County Court of Henry County and the Juvenile Court of Henry County and all Justice of the Peace Courts in said County; and to provide for the transfer of all cases pending in County Court of Henry County and the Juvenile Court of Henry County to the newly established Inferior Court of Henry County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1270:

NOTICE OF PROPOSED
LOCAL LEGISLATION

STATE OF ALABAMA
HENRY COUNTY

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To create a court with County wide limited jurisdiction of criminal cases and civil action which court shall be called the Inferior Court of Henry County, Alabama; to provide for the jurisdiction of said Inferior Court of

REGULAR SESSION
14th Day

1203

Henry County, Alabama; to provide for regular monthly sessions of said Inferior Court of Henry County, Alabama, as to civil cases and criminal cases; to provide for the jurisdiction and powers of the court hereby established and the officers thereof; to fix their duties, powers, authority and compensation, their election or appointment, terms of office, and for costs and fees in such court; to abolish the County Court of Henry County and the Juvenile Court of Henry County and all Justice of the Peace Courts in said County; and to provide for the transfer of all cases pending in County Court of Henry County and the Juvenile Court of Henry County to the newly established Inferior Court of Henry County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established in Henry County a court with limited jurisdiction of criminal cases and civil action at law. The court shall be known as the Inferior Court of Henry County, Alabama.

Section 2. (a) The court shall be open at all times for the transaction of business. Regular Sessions shall be held on the first Monday in each month, for the trial of criminal cases, and on the third Monday in each month for the trial of civil action and actions against or involving juveniles. Special sessions may be held at such times as the Judge shall designate. Sessions may continue so long as may be necessary for the court to complete business of the court. The Judge shall be available at all times to receive guilty pleas, assess fines and enter such orders and judgments as may be appropriate.

(b) The sheriff shall attend the regular criminal sessions of the court in person, or by deputy, and shall attend other sessions when requested by the Judge.

Section 3. Cases and actions pending in the County Court, the Juvenile Court and all Justice of the Peace Courts in Henry County on the effective date of this act, together with all documents, papers, judgments, and orders of said court therein shall be transferred to the court hereby created and shall proceed therein as though begun therein. All judgments rendered by the County Court, the Juvenile Court or any Justice of the Peace Court of Henry County, may be enforceable by this court the same as if they had been rendered by this court and this court shall have full power and control over the same and may issue executions and other process therein the same as if the judgments and orders had been originally rendered in this court.

Section 4. (a) Except as provided in subsection (b) of this subsection, the Inferior Court of Henry County, Alabama, shall have and exercise jurisdiction in all actions, causes, matters, proceedings, and cases including actions of unlawful detainer, actions for recovery of land, except actions actions in ejectment, cognizable before the Circuit Court; cases of desertions and non-support instituted by virtue of Article 3, Chapter 4, Title 34, Code of Alabama 1940, Civil Proceeding to Compel Support instituted by virtue of Article 4, Chapter 4, Title 34, Code of Alabama (1940) which are recognizable before the Circuit Court of Alabama or a County Court, the Juvenile Court of Henry County or of Justices of the Peace and all courts of like jurisdiction in Henry County. In exercising jurisdiction of Juvenile Court cases the provisions of Chapter 7, Title 13, Code of Alabama 1940 and amendments thereto. Shall apply. It shall have authority to punish contempts by fine not exceeding fifty dollars (\$50.00) and imprisonments not exceeding five days in

the county jail. It may adapt and enforce rules and regulations relative to pleading procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and law made rules governing the practice and procedure of courts of record.

(b) The Inferior Court of Henry County shall have jurisdiction of civil actions at law in which the matter or sum in controversy does not exceed One Thousand (\$1,000.00) Dollars, if no trial by jury is demanded by any party to the suit; and if a jury trial is demanded by any party to such suit, and the matter in controversy exceeds \$100.00, the case shall be transferred to the Circuit Court of Henry County for jury trial and no further proceedings in the suit shall be taken and had in the Inferior Court of Henry County.

(c) The court shall have and exercise preliminary jurisdiction in felony cases, but the court shall not have jurisdiction to try persons charged with felonies or actions of ejectment or of any matter or proceeding cognizable in equity; provided that nothing herein shall be construed to limit or restrict the court in the exercise of the jurisdiction of the Juvenile Court.

(d) No criminal prosecution shall be commenced in such court except by warrant and upon sworn complaint issued by the Clerk or his deputy or a Magistrate or public official of Henry County, Alabama, authorized to issue warrants of arrest.

(e) The provisions of Chapter 7 of Title 13 of the Code of Alabama 1940 as the same may from time to time be amended, shall apply in all matters in which the court exercises jurisdiction of the Juvenile Court.

(f) The court shall have no jurisdiction of Workmen's Compensation cases, libel, or slander. When the action is in detinue in which the plaintiff seeks to recover on a chattel mortgage or a conditional sales contract, or other security agreement, the amount in controversy shall, for the purpose of determining jurisdiction, be the balance of the mortgage debt, financing statement, security agreement, conditional sale contract or purchase price, as the case may be or the value of the property in suit whichever may be less; and where the action is for entry or unlawful detainer, the amount in controversy shall, for the purpose of determining jurisdiction, be the amount of the damages claimed. The court shall have jurisdiction of proceedings for discovery of assets of judgment debtors and shall exercise such jurisdiction in the same manner that is provided by law with respect to civil judgments in Circuit Court.

(g) The County Court of Henry County, and the Juvenile Court of Henry County, and all Justice of Peace Courts in Henry County are hereby abolished.

(h) In any civil action pending in the Inferior Court of Henry County, Alabama, if the defendant files a plea of set off or recoupment claiming an amount in excess of \$1,000.00 or otherwise asserting a cause of action not within the jurisdiction of the court, the Judge shall enter an order transferring the case to the Circuit Court of Henry County, Alabama, where the same shall proceed as if originally commenced therein.

(i) Appeals may be taken from final judgments or final orders of the court by any aggrieved party as follows:

1—If the case is a civil case in law division of the court, the appeal lies to the Circuit Court and shall be governed by Article 6, of Chapter 8, Title 13, of the Code of Alabama, 1940, as amended.

REGULAR SESSION
14th Day

1205

2—An appeal from judgments or orders made by the court in the exercise of jurisdiction of the Juvenile Court lies to the Circuit Court of Henry County, Alabama, and shall be governed by the provisions of Sections 362, 371, and 372 of Title 13, and Section 95, 96, and 97 of Title 34, Code of Alabama.

3—In every criminal case, the appeal lies to the Circuit Court and shall be governed by Section 90 of Title 13, of the 1940 Code of Alabama.

Section 5. The Inferior Court shall not draw, organize, or empanel grand or petit juries. The Judge shall decide all issues of fact without the intervention of a jury.

Section 6. The practice and procedure of the court as to parties, trial, competence of witnesses, admissibility of evidence, regulation of suits and the time within which suits may be brought shall be governed by the statutes and rules of practice and procedure governing the Circuit courts.

(a) Interrogatories to adverse parties, as provided for by Article 8, Chapter 10, Title 7, Code of Alabama (1940), may be used, except that answers must be filed to such interrogatories within thirty (30) days after service of the interrogatories. If answers to the interrogatories are not filed within thirty days after service of a copy of the interrogatories, or when the answers are not full, or are evasive, the court may either attach the party and cause him to answer fully in open court, or tax him with so much costs as may be just, and continue the cause until full answers are made, or render such judgment or decree as would be appropriate if such defaulting party offered no evidence, or direct a non-suit or judgment by default.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within twenty (20) days after such service. If a defendant fails to plead, answer or demur within the prescribed time after service has been perfected on him, he shall be in default and on motion of the plaintiff judgment by default may be rendered against such defendant.

Section 7. (a) No prosecution shall be commenced in such court except upon sworn complaint made to either the judge or the clerk of the court, or the deputy clerk of the court, or the District Attorney or an Assistant District Attorney for Henry County, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the cause shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for arraignment and trial of the accused.

(b) An Assistant District Attorney for Henry County shall prosecute for the State all criminal and quasi criminal cases commenced in such court.

Section 8. (a) The Inferior Court of Henry County, Alabama, shall be open at all times for the transaction of business. Sessions of said Inferior Court of Henry County, Alabama, shall be held at the County Courthouse on the first Monday of each month for the trial of criminal cases and shall be continued so long as may be necessary for the court to complete its business.

(b) Sessions of the Inferior Court of Henry County, Alabama, shall be held on the third Monday of each month for the trial of civil actions and juvenile cases, and shall be continued so long as may be necessary for the court to complete its business.

(c) The Sheriff shall, without additional compensation, attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the Circuit Court.

(d) The Judge shall appoint a baliff when he deems one necessary and the baliff shall be compensated at the same rate as a Circuit Court baliff.

(e) The Judge shall have the same power and right to appoint an attorney to represent indigent defendants as Judges of Circuit Courts.

Section 9. (a) For their attendance upon the sessions of the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the Circuit Courts, which fees and allowances shall be taxed, collected and paid in the same manner and according to the same regulations as apply in the Circuit Courts.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs, except trial tax as provided for in Title 51, Section 20, Code of Alabama 1940 (Recompiled 1958), as amended, for the uses of the court and officers thereof as follows: (1) in every civil action at law, the same as in the Circuit Court; (2) in every criminal case, the same as in the County Courts; (3) for issuance of peace warrants in addition to other costs and commissions provided by law the sum of twenty-five dollars (\$25.00) shall be paid into the general fund of the county; (4) the court shall tax other costs and commissions as prescribed by law (both general and local acts).

(c) A trial tax of two dollars (\$2.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does exceed one hundred dollars (\$100.00). In every other civil action at law, and in every criminal case, a trial tax of five dollars (\$5.00) shall be collected for the use of the county.

(d) No cost shall be taxed in juvenile cases.

(e) In addition to the fines and forfeitures now provided by law to be paid into the general fund of Henry County, Alabama, one-half (50%) of all other fines and forfeitures, including cases of violation of the Rules of the Road, driving while intoxicated, reckless driving, highway drunkenness, and exceeding the lawful speed limit, collected in this court are to be paid into the general fund of Henry County, Alabama.

(f) (1) The Clerk of the Inferior Court shall require the parties instituting any civil action, suit or proceeding in such court, whether it be original process or otherwise, to pay a filing fee of fifteen dollars (\$15.00), except that on application for a writ of habeas corpus the filing fee shall be five dollars (\$5.00), this fee shall be refunded to the party instituting the action, suit or proceeding, upon the payment of the court costs incurred in the proceeding.

(2) The Inferior Court by rule or standing order may require advanced payment of costs and fees.

(g) (1) The court may authorize the commencement, prosecution or defense of any suit action or proceeding, civil or criminal without prepayment of fees and costs or security therefor by a person who makes affidavit that he is unable to pay such costs or give security therefor. Such affidavit shall state the nature of the action or defense, and affiant's belief that he is entitled to redress.

(2) The court may dismiss the case if the allegations of poverty are untrue, or if satisfied that the action is frivolous or malicious.

(3) Judgment may be rendered for costs at the conclusion of the suit or action, as in other cases.

Section 10. The party in whose favor a judgment is rendered shall have all the right, remedies and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11, Title 7, Code of Alabama (1940), as amended, except that if the judgment of the court is for fifty dollars (\$50.00) or less the party in whose favor the judgment is rendered shall have a period of only three years in which to have a writ of fieri facias or execution levied against the property of the defendant, and the lien of such judgment registered under the provisions hereof shall continue for a period of three years from date of such judgment in the manner set out in Section 588 of said Title 7; and if the judgment is for more than fifty dollars (\$50.00), the lien of such judgment shall continue for a period of ten years from the date of such judgment in the manner set out in Section 585 of said Title 7, of the Code of Alabama 1940 (Recompiled 1958), as amended.

(1) The discovery of assets of judgment debtors as provided by Article 2, Chapter 21, Title 7, Code of Alabama, (1940) may be had in this court as may be had in Circuit Courts.

Section 11. Any party aggrieved by a judgment, order or ruling of the court may appeal the decision as herein provided.

(1) If the case is a civil case in the law division of the court, the appeal lies to the Circuit Court and shall be governed by Article 6, of Chapter 8, Title 13, of the 1940 Code of Alabama.

(2) If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the Circuit Court and shall be governed by Section 371 and 372 of Title 13 of the 1940 Code of Alabama.

(3) In every criminal case, the appeal lies to the Circuit Court and shall be governed by Section 349 of Title 13 of the 1940 Code of Alabama (Recompiled 1958.)

Section 12. (a) A Judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1976 and every six years thereafter. His term shall be for six years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) Immediately after the effective date of this Act the Governor shall appoint a Judge of the Inferior Court of Henry County, Alabama, and the person so appointed shall hold office until his successor is elected as provided herein.

(c) The Judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of Judge unless he is, at the time of his appointment or election, a qualified elector of Henry County, learned in the law, and has been licensed to practice law in this State and is a member of the Alabama Bar Association and of the Henry County Bar Association. The Judge may otherwise practice law in Henry County, Alabama, and shall otherwise be subject to the same penalties and obligations as Circuit Judges. Any vacancy occurring in the office of Judge shall be filled by appointment as provided in Section 158 of the Constitution of the State of Alabama.

(d) The Judge shall receive a monthly salary to be fixed by the Court of Commissioners of Henry County of not less than \$400.00 per month and not more than \$800.00 per month, payable out of the General Fund of the County in equal monthly installments as the salaries of other county officers are paid.

(e) The Judge may employ a secretary to assist him in the discharge of his duties as Judge. The Secretary shall receive a monthly salary to be fixed by the Court of Commissioners of Henry County but not to exceed \$200.00 per month payable out of the General Fund of the county in equal monthly installments as the salaries of other county officers are paid.

(f) The Judge shall have authority to: (1) grant writs of certiorari, supersedeas, quo warranto, and all other remedial and original writs which are granted by the Circuit Judge in courts of law; (2) administer oaths and take acknowledgements; (3) issue search warrants; (4) exercise such other powers, jurisdiction or authority as may now or hereafter be conferred by law upon Circuit Judges in courts of law, Judges of Juvenile and County Courts, and Justices of the Peace. Provided, however, the Judge shall not have or exercise the powers, jurisdiction, or authority of equity courts.

(g) The Judge shall keep an office in the County Courthouse, or such other place as may be provided by the governing body of the county. His office shall be suitably equipped, furnished and provided at the expense of the county with such office supplies and stationery, stamps, furniture fixtures and other materials as may be necessary for the transaction of the business of the court.

(h) In the event the Judge is disqualified or unable to act, a special Judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code. Such special Judge shall be paid out of the General Funds of the county the sum of \$50.00 for each day he is called upon to serve during a regular session held pursuant to orders of the court duly spread upon the minutes of the court.

Section 13. (a) The Circuit Clerk of Henry County shall be the Clerk of the court herein established and the Clerk of the juvenile division of said court. Each deputy Clerk of the Circuit Court of Henry County shall be a deputy Clerk of the Inferior Court of Henry County. The Clerk shall have the authority to purchase at county expense such records, stationery, office supplies, and equipment as may be necessary to conduct the court's business. He shall keep the seal which shall be the official seal adopted by the court.

14th Day

(b) It shall be the duty of the Clerk and the Clerk of the juvenile division respectively to keep all the records, files, and dockets of the court in an orderly manner and to perform all other duties required by the Judge.

(c) The Clerk of the Inferior Court and the Clerk of the juvenile division thereof respectively, shall have the power and authority: (1) to administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, execution, commitments, and releases; (3) to approve bonds in civil and criminal cases; (4) to enter all judgments, orders, and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter conferred on Clerks of the Circuit Courts.

Section 14. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. This Act shall take effect after its enactment by the Legislature and approval by the Governor of Alabama, at such time as determined by the Commissioners Court of Henry County, Alabama.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA

HENRY COUNTY

Before me, Ann Marshall Peebles, a Notary Public in and for said County, in said State, personally appeared Nathalie S. Dodd, who is known to me, and who by me being duly sworn, deposes and says that she is the co-publisher of The Abbeville Herald, a newspaper published in the town of Abbeville, County of Henry, State of Alabama; that the attached notice is a true and correct copy of the notice which was published in said newspaper for four consecutive weeks, on, to-wit: May 31, June 7, June 14, and June 21, 1973.

NATHALIE S. DODD,
Co-Publisher.

Sworn to and subscribed before me, this 22nd day of June, 1973.

ANN MARSHALL PEEBLES,
Notary Public.

By Messrs. McDonald, Drake and St. John (with notice and proof):

H. 1271. To allow branch banking under described conditions in Marshall County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1271:

STATE OF ALABAMA

COUNTY OF MARSHALL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To allow branch banking under described conditions in Marshall County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply in Marshall County only.

Section 2. Any bank, either incorporated or unincorporated, within the State, now or hereafter having a combined paid in capital and paid in or earned surplus of at least \$200,000, and situated in such County or having an office or place of business in said County, shall have power to establish, to maintain and operate within the limits of such County, where the principal place of such business of such bank is situated or where it has an office or place of business, one or more branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business, for the receipt of deposits, payment of checks, lending of money and conduct of a general banking business, provided that such bank, before the establishment of any such branch or branches or additional offices or places of business, shall first secure the written consent thereto of the State Superintendent of Banks. It is provided further that no bank shall establish, maintain and operate such a branch within any incorporated municipality in the county in which a bank is already established, other than the municipality in which its principal place of business is situated, or in which it has a branch or authorized place of business.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA MARSHALL COUNTY

Before me, a Notary Public, in and for said State and County personally appeared the undersigned, Jesse A. Culp, who being first duly sworn according to law, desposes and says that he is the publisher of The Sand Mountain Reporter, a newspaper of general circulation, published at Albertville, in Marshall County, Alabama; that the attached notice, which is a part of this affidavit, was published in the issues of said newspaper, dated May 24, May 31, June 7, and June 14, 1973.

JESSE A. CULP,
Publisher.

Sworn to and subscribed before me this the 25 day of June 1973.

LINDA BROWN,
Notary Public.

By Messrs. McDonald, Bassett, St. John, Wallace, Bank, Warren, Taylor, Wynot, Boles, Doss, Drake, Carter, Lyons, Cross, Chesnut, Porter, Wal-drop, Goodwin, Grey (D), Flippo, Williams, Crowe, Naramore, McBride, Wood, Roberts, Hardin, May, Kinsey, Benton, Wise, Jackson, Connell, Crawford, Coshatt, Mims, Barkett, Lang, Reed (T), Edwards, Smith (K), Snell, Adams, Brassell, McCluskey, Casey, Cottingham,

O'Daniel, Agee, McCorquodale, Harris, Callahan, Jones (F), Barron, Therrell, Perloff and Downing:

H. 1272. To amend Code of Alabama, 1940, Title 52, Sections 364 and 365, which relate to the Teachers' Retirement System, amending such sections in relation to membership service creditable toward retirement and to provide for a conditional appropriation.

Ways and Means.

By Messrs. Stubbs, Lyons, Drake, Robertson, Reid (R), Fite, Doss, Williams, Burgess, Headley, Naramore, Boles, Bowers, Wallace, Crowe, Erdreich and Boutwell:

H. 1273. To amend Section 257, subsection (d) of Section 262, Sections 263, 269, 270, 271, 272, 273, 277, 279, 280, 283, 285, 286, 289, 292, 293, 301, paragraphs (2), (4) and (5) of Section 309, Sections 312 and 324, all being of Chapter 5, Title 26, Code of Alabama 1940, as last amended, Sections 4, 6, 7, and 12 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, Sections 3, 5, 6, and 11 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, and Sections 3, 5, 6, and 11 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, and to repeal Sections 255, 256, 274, 275, 276, all being of Chapter 5, Title 26, Code of Alabama 1940, as last amended, Sections 5 and 8 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, Sections 4 and 7 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, and Sections 4 and 7 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, relating to providing compulsory coverage of subject employers and employees, extending coverage to common carriers but specifying certain persons not to be employees of common carriers, allowing elective coverage of farmers, providing immunity under certain circumstances from suits to co-employees, to workmen's compensation insurance carriers of employers and to persons or companies making certain safety inspections, extending the presumption of dependency to include husbands, increasing the maximum and minimum weekly compensation payable, extending the maximum number of weeks payable for permanent total disability and for death, increasing the amount payable for burial expense, reducing the number of days of disability required before compensation is payable for the waiting period, providing for a penalty for late payments of compensation, increasing medical benefits and extending the period during which such benefits are payable, specifying coverage of physical rehabilitation as a medical benefit, providing for a change of physician under certain circumstances, increasing the basis of calculation whereby an employer may be discharged from the payment of future installments of compensation, providing for additional reports to be filed with the Department of Industrial Relations, authorizing the Director of Industrial Relations to require self-insured employers to post bond or securities and to prescribe other rules and regulations regarding self-insurance, providing for the applicability of and effect of Articles 1, 2 and 3 of Chapter 5, Title 26, Code of Alabama 1940, as amended, providing for penalties for the failure to secure compensation liability and for failure to file reports, permitting the parties to agree as to the intervals at which certain benefits shall be paid, and appropriating \$47,000 for the fiscal year beginning October 1, 1973, and ending September 30, 1974, and \$46,000 for the fiscal year beginning October 1, 1974, and ending September

30, 1975, out of the general fund of the State Treasury to the Department of Industrial Relations for carrying out the purpose of this Act, all relating to the Workmen's Compensation Law, Articles 1, 2, 2A, 2B, 2C, and 3 of Chapter 5 of Title 26 of the Code of Alabama 1940, as last amended, pertaining to compensation of employees by employers for job-related injuries and certain illnesses and diseases.

Business and Labor.

H. 243 RE-REFERRED

On motion of Mr. Drake to re-refer, the bill, H. 243, was re-referred from the Standing Committee on Ways and Means to the Standing Committee on Commerce and Transportation.

UNANIMOUS CONSENT GRANTED

On the request of Mr. Porter, unanimous consent was granted for his name to be removed as co-sponsor to the bill, H. 940.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Smith (P), Adams, Agee, Bank, Barkett, Barron, Bassett, Benton, Boles, Boutwell, Bowers, Brassell, Burgess, Callahan, Carnes, Carter, Casey, Cauthen, Chesnut, Collins, Connell, Cottingham, Crawford, Cross, Crowe, Culver, Doss, Downing, Drake, Easters, Edwards, Fite, Flippo, Gafford, Goodwin, Gray (F), Grey (D), Hale, Hardin, Headley, Hearn, Hill, Hobbie, Hughes, Jackson, Jones (F), King, Kinsey, Lang, Lyons, McBride, McCluskey, McCorquodale, McDonald, McMillan, Manley, Mathews, May, Meeks, Merrill, Mims, Naramore, Nettles, O'Daniel, Owens, Parker, Perloff, Porter, Pruitt, Reed (T), Reid (R), Reynolds, Robertson, St. John, Slate, Smith (K), Snell, Stewart, Stokes, Stubbs, Therrell, Turner, Turnham, Waggoner, Waldrop, Wallace, Warren, Weeks, Williams, Wise, Wood, and Wynot.

H. J. R. 117. WHEREAS, American consumers are threatened by the current price freeze with a complete breakdown in the marketing system of numerous farm products, including red meats, milk, poultry, eggs, pork, and vegetables; and,

WHEREAS, hundreds of Alabama farmers, producers and processors face economic ruin which would cause severe hardship to our entire state; and,

WHEREAS, problems caused by the price freeze are complicated by a continued record export of feed grains and soybeans which is lowering our domestic supply to possibly disastrous levels;

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, That we endorse the June 21, 1973, resolution of the United States Senate Committee on Agriculture and Forestry, which calls on the President to remove agriculture from the price freeze at once and place it under a plan better adapted to the special needs and problems of agricultural production; and,

REGULAR SESSION
14th Day

1213

BE IT FURTHER RESOLVED, That we endorse the request being made by United States Senator James B. Allen to administration officials of the United States to ban exports of feed grains and other agricultural commodities that are in short supply pending harvesting of this year's crops;

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the United States Secretary of Agriculture and to each member of Alabama's Congressional delegation.

On motion of Mr. Smith (P), the rules were suspended and the resolution, H. J. R. 117, was adopted.

Also:

By Mr. Erdreich:

H. R. 118. REQUESTING AN ADVISORY OPINION OF THE JUSTICES OF THE SUPREME COURT RELATIVE TO H. B. 321.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we respectfully request the honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, to give this body their written opinions on the following important constitutional questions which have arisen concerning the pending bill, H. B. 321, as substituted and amended, a copy of which is attached to this resolution and made a part hereof by reference:

1. Is Section 6 of H. B. 321, as substituted and amended, a valid appropriation of funds under Article 4, Section 71 or 72 of the Constitution of Alabama 1901?

2. Is Section 6 of H. B. 321, as substituted and amended, a valid appropriation under Article 4, Section 71 or 72 if the Constitution of Alabama 1901, of funds received by the State of Alabama from the Congress of the United States?

3. Is Section 6 of H. B. 321, as substituted and amended, a valid appropriation, under Article 4, Section 71 or 72 of the Constitution of Alabama 1901, of funds allocated to the State of Alabama pursuant to the State and Local Fiscal Assistance Act of 1972, PL92-512?

4. What is the legal method to appropriate funds allocated to the State of Alabama under the State and Local Fiscal Assistance Act of 1972, PL92-512?

5. Does Section 6 of H. B. 321 as substituted and amended, violate the doctrine of separation of powers as established by Sections 43 and 44 of the Constitution of Alabama of 1901?

6. Is Section 6 of H. B. 321, as substituted and amended, a valid appropriation of funds in view of the provisions of Sections 43 and 44 of the Constitution of Alabama of 1901?

7. Is Section 6 of H. B. 321, as substituted and amended, a valid appropriation of funds received by the State of Alabama from Congress?

8. Is Section 6 of H. B. 321, as substituted and amended, a valid appropriation of funds allocated to the State of Alabama pursuant to the provision of the State and Local Fiscal Assistance Act of 1972, PL92-512?

9. Is Section 6 of H. B. 321, as substituted and amended, an unconstitutional delegation of legislative power?

10. Does Section 6 of H. B. 321, as substituted and amended, violate any of the provisions of Section 43, 44, 71 and 72 of the Constitutions when considered in conjunction with each other?

RESOLVED FURTHER that the Clerk of the House is hereby directed to send nine true copies of the pending bill, H. B. 321, as substituted, to the Clerk of the Supreme Court of Alabama, and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this Resolution.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Erdreich to suspend the rules in order to take up for immediate consideration the resolution, H. R. 118, was lost.

Yeas 30; Nays 47.

Yeas:

Messrs.:	Ellis	King	Slate	
Boutwell	Erdreich	Lutz	Stokes	
Carnes	Falkenburg	McMillan	Therrell	
Cauthen	Grainger	McNair	Waldrop	
Culver	Hale	Meeks	Wallace	
Dill	Harris	Nettles	Weeks	
Doss	Hughes	Perloff	Wood	
Downing	Jones (F)	Roberts		—30

Nays:

Mr. Speaker	Cottingham	Hobbie	Reynolds	
Agee	Crawford	Jackson	Robertson	
Barkett	Crowe	Lang	St. John	
Barron	Drake	McCluskey	Smith (K)	
Bassett	Easters	McCorquodale	Snell	
Brassell	Edwards	Mathews	Stubbs	
Burgess	Fite	May	Turner	
Callahan	Goodwin	Merrill	Warren	
Casey	Grey (D)	Mims	Williams	
Chesnut	Hardin	Naramore	Wise	
Collins	Headley	O'Daniel	Wynot	
Connell	Hearn	Owens		—47

REFERRED TO RULES

And the resolution, H. R. 118, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 10. Opposing Financial Aid to North Vietnam and Hanoi.

REGULAR SESSION
14th Day

1215

Also:

S. J. R. 11. Opposing Amnesty to Draft Dodgers and deserters of the Vietnam conflict.

Also:

S. J. R. 15. Congratulating Tuscaloosa Policeman William A. (Bill) Formby.

Also:

S. J. R. 19. Condemning the actions of former Attorney Gen. Ramsey Clark and actress Jane Fonda.

Also:

S. J. R. 33. Commending H. A. Edwards, Jr., as president of the Homebuilders Association of Alabama for 1972.

Also:

S. J. R. 34. Commending Marlin D. Moore, Jr.

Also:

S. J. R. 35. Commending John D. Cade.

Also:

S. J. R. 36. Commending Madge Poole.

Also:

S. J. R. 37. Expressing sympathy to the family of Mrs. Eloise Benefield.

Also:

S. J. R. 40. Honoring Dr. B. B. Hardy upon his retirement as Dean of Stillman College.

Also:

S. J. R. 41. Mourning the death of J. R. Wilson.

Also:

S. J. R. 45. Lamenting the death of Mr. T. E. Martin.

Also:

S. J. R. 55. Requesting the Examiners of Public Accounts to examine all State leases.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed

the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Callahan:

H. J. R. 119. WHEREAS, by its decision in *Roe v. Wade*, which prohibits state restriction on medical abortions during the first trimester of pregnancy and limits state restrictions on abortions during the second trimester of pregnancy, the United States Supreme Court has substituted its judgment for the judgment of legislatures throughout the county and, in so doing, has invaded the legislative domain and exceeded its judicial functions; and

WHEREAS, the Court based its decision upon a right of privacy which cannot be found in the Fourth and Fourteenth Amendments to the United States Constitution; and

WHEREAS, the right to life of unborn infants has long been held a cherished common law and Christian right; and

WHEREAS, with the erosion of the right to life of unborn infants may be expected to follow a general disrespect and disregard for the right to life of all persons, especially that of the old and infirm; and

WHEREAS, in an effort to reestablish such a respect for all life, Representative Lawrence J. Hogan has introduced a resolution into the United States House of Representatives calling for a right to life and anti-euthanasia amendment to the Constitution;

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Legislature of Alabama urges the United States Congress to pass the following resolution which has been introduced by Representative Hogan:

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of several States within seven years from the date of its submission to the States by Congress:

ARTICLE

Section 1: Neither the United States nor any State shall deprive any human being, from the moment of conception, of life without due process of law; nor deny to any human being, from the moment of conception, within its jurisdiction, the equal protection of the laws.

Section 2: Neither the United States nor any State shall deprive any human being of life on account of age, illness, or incapacity.

Section 3: Congress and the several States shall have power to enforce this article by appropriate legislation.”

and, through such a resolution, to reestablish the respect for life which has been disregarded by the Supreme Court of the United States;

BE IT FURTHER RESOLVED, that the Legislatures of all States are urged to ratify such amendment with all dispatch; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Clerk of the House to the President of the United States Senate and the Speaker of the United States House of Representatives and to each member of the Alabama Congressional Delegation.

The resolution, H. J. R. 119, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

And the bill:

H. 957. To further amend Section 1 of Act No. 134, H. 417, Regular Session 1969 (Acts 1969, p. 408), as amended, which act provides expense allowances to be paid from the Gasoline Tax Fund to the members of the governing bodies of certain counties classified on a population basis.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hill	Reid (R)
Adams	Culver	Hughes	Reynolds
Agee	Dill	Jackson	Roberts
Bank	Doss	Jones (F)	St. John
Barkett	Downing	King	Slate
Barron	Drake	Kinsey	Smith (K)
Bassett	Easters	Lang	Snell
Benton	Edwards	Lutz	Stewart
Boles	Ellis	McBride	Stokes
Boutwell	Erdreich	McCluskey	Stubbs
Brassell	Falkenburg	McMillan	Taylor
Burgess	Fite	McNair	Therrell
Callahan	Flippo	May	Timmons
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Waggoner
Casey	Grainger	Mims	Waldrop
Cauthen	Gray (F)	Naramore	Wallace
Chesnut	Grey (D)	Nettles	Warren
Collins	Hale	O'Daniel	Weeks
Connell	Hardin	Owens	Williams
Coshatt	Harris	Perloff	Wise
Crawford	Headley	Porter	Wood
Cross	Hearn	Reed (T)	Wynot

And the bill:

H. 1029. Relating to counties having populations of not less than 95,000, nor more than 115,000, according to the most recent federal decenni-

al census; to provide a monthly expense allowance for the bailiff in the county court of such counties; and providing a retroactive effect therefor.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Adwell	Doss	Lang	Roberts
Agee	Downing	Lutz	St. John
Barkett	Drake	McBride	Slate
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Boutwell	Ellis	McDonald	Snell
Bowers	Erdreich	McMillan	Stewart
Brassell	Fite	McNair	Stokes
Burgess	Flippo	Manley	Stubbs
Callahan	Gafford	May	Taylor
Carnes	Goodwin	Meeks	Therrell
Carter	Grainger	Merrill	Timmons
Casey	Gray (F)	Mims	Waldrop
Chesnut	Grey (D)	Naramore	Wallace
Collins	Hale	Nettles	Warren
Connell	Hardin	O'Daniel	Weeks
Coshatt	Harris	Owens	Williams
Cottingham	Hearn	Perloff	Wise
Crawford	Hill	Porter	Wood
Cross	Hughes	Pruitt	Wynot
Crowe	Jackson	Reed (T)	

—91

And the bill:

H. 1030. To amend Section 1 of Act No. 151, H. 169, Special Session 1969 (Acts 1969, p. 218), as amended, which regulates the compensation of and provides for the payment of additional compensation to members of the board of registrars of certain counties classed on a population basis, so as to provide further for the compensation of members of such board; and providing a retroactive effect therefor.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Burgess	Culver	Goodwin
Adams	Callahan	Dill	Grainger
Adwell	Carnes	Doss	Gray (F)
Agee	Carter	Downing	Grey (D)
Barkett	Casey	Drake	Hale
Barron	Collins	Easters	Hardin
Bassett	Connell	Edwards	Harris
Benton	Coshatt	Ellis	Headley
Boles	Cottingham	Erdreich	Hearn
Boutwell	Crawford	Falkenburg	Hill
Bowers	Cross	Fite	Hughes
Brassell	Crowe	Gafford	Jackson

REGULAR SESSION
14th Day

1219

Jones (F)	Meeks	Reynolds	Therrell
Kinsey	Merrill	Roberts	Timmons
Lang	Mims	St. John	Turner
Lutz	Naramore	Slate	Waldrop
McBride	Nettles	Smith (K)	Wallace
McCluskey	O'Daniel	Smith (P)	Warren
McCorquodale	Owens	Snell	Weeks
McDonald	Perloff	Stewart	Williams
McMillan	Porter	Stokes	Wise
McNair	Pruitt	Stubbs	Wood
Manley	Reed (T)	Taylor	Wynot
May	Reid (R)		

—94

And the bill:

H. 1036. To provide for the transfer of funds from the Public Highway and Traffic Funds to the Gasoline Funds by the governing body of counties having a population of not less than 22,000 and not more than 22,500 according to the most recent federal decennial census.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Pruitt
Adams	Culver	Jones (F)	Reynolds
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	St. John
Barkett	Downing	Lang	Slate
Barron	Drake	Lutz	Smith (K)
Bassett	Easters	McBride	Smith (P)
Benton	Edwards	McCluskey	Snell
Boles	Ellis	McDonald	Stewart
Boutwell	Erdreich	McMillan	Stokes
Bowers	Fite	McNair	Taylor
Brassell	Flippo	Manley	Therrell
Callahan	Gafford	May	Timmons
Carnes	Grainger	Meeks	Turner
Carter	Gray (F)	Merrill	Waldrop
Casey	Grey (D)	Mims	Wallace
Chesnut	Hale	Naramore	Warren
Collins	Hardin	Nettles	Weeks
Connell	Harris	O'Daniel	Williams
Coshatt	Hearn	Owens	Wise
Cottingham	Hill	Perloff	Wood
Crawford	Hughes	Porter	Wynot
Cross			

—89

And the bill:

H. 1042. To repeal Act No. 162, S. 301, 1957 Regular Session (Acts 1957, p. 217) entitled "To prohibit the hunting of wild deer with a rifle or carbine in the County of Colbert, and prescribing the penalty for such offense."

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Bank	Doss	Kinsey	Roberts
Barkett	Downing	Lang	St. John
Barron	Drake	Lutz	Slate
Bassett	Easters	McBride	Smith (K)
Benton	Edwards	McCluskey	Smith (P)
Boles	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Bowers	Fite	McNair	Stokes
Brassell	Flippo	Manley	Taylor
Callahan	Gafford	Mathews	Therrell
Carnes	Goodwin	May	Timmons
Carter	Grainger	Meeks	Turner
Casey	Gray (F)	Merrill	Waggoner
Cauthen	Grey (D)	Mims	Waldrop
Chesnut	Hale	Naramore	Wallace
Collins	Hardin	Nettles	Warren
Connell	Harris	O'Daniel	Weeks
Coshatt	Hearn	Owens	Williams
Cottingham	Hill	Perloff	Wise
Crawford	Hughes	Porter	Wood
Cross	Jackson	Pruitt	Wynot

—92

And the bill:

H. 1043. To repeal Act No. 242, H. 684, approved August 13, 1957, Regular Session 1957 (Acts 1957, p. 302) entitled, "An Act Regulating through licensure the occupation of plumbing in Colbert County, Alabama; creating a board of plumbers examination and registration in such county for the purpose of examining and licensing master plumbers and journeyman plumbers; providing for the appointment and term of office of members of such board and prescribing the organization, powers and duties of the board; fixing standards for master and journeyman plumbers and prescribing examination and certification fees and authorizing their collection and disbursement; authorizing the revocation and renewal of such certifications and prescribing the procedures therefor; and providing penalties for violations of this Act."

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Burgess	Cottingham	Erdreich
Adams	Callahan	Crawford	Flippo
Bank	Carnes	Cross	Gafford
Barkett	Carter	Culver	Goodwin
Barron	Casey	Dill	Grainger
Bassett	Cauthen	Doss	Gray (F)
Benton	Chesnut	Downing	Grey (D)
Boutwell	Collins	Drake	Hale
Bowers	Connell	Easters	Hardin
Brassell	Coshatt	Edwards	Harris

REGULAR SESSION
14th Day

1221

Headley	Mathews	Reed (T)	Taylor
Hearn	May	Reid (R)	Therrell
Hill	Meeks	Reynolds	Timmons
Hughes	Merrill	Roberts	Turner
Jackson	Mims	St. John	Waggoner
Jones (F)	Naramore	Slate	Wallace
Kinsey	Nettles	Smith (K)	Warren
Lutz	O'Daniel	Smith (P)	Weeks
McBride	Owens	Snell	Williams
McCluskey	Perloff	Stewart	Wise
McMillan	Porter	Stokes	Wood
McNair	Pruitt	Stubbs	Wynot
Manley			

—89

And the bill:

H. 1044. Relating to all counties with a population of not less than 26,000 nor more than 26,800, according to the most recent federal decennial census, providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations and in certain cases of game, fish and conservation law violations.

Was taken up.

H. 1044 TEMPORARILY POSTPONED

On motion of Mr. McCorquodale, the bill, H. 1044, was temporarily postponed.

And the bill:

H. 1050. Relating to all counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal decennial census; to provide an expense allowance for the members of the county board of registrars.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Casey	Ellis	Jones (F)
Adams	Cauthen	Erdreich	King
Adwell	Chesnut	Fite	Kinsey
Agee	Collins	Flippo	Lang
Bank	Connell	Gafford	Lutz
Barkett	Coshatt	Goodwin	McBride
Barron	Cottingham	Grainger	McCluskey
Bassett	Crawford	Gray (F)	McDonald
Benton	Cross	Grey (D)	McMillan
Boles	Crowe	Hale	McNair
Boutwell	Culver	Hardin	Manley
Bowers	Dill	Harris	Mathews
Brassell	Doss	Headley	May
Burgess	Downing	Hearn	Meeks
Callahan	Drake	Hill	Merrill
Carnes	Easters	Hughes	Naramore
Carter	Edwards	Jackson	Nettles

O'Daniel	Roberts	Stubbs	Wallace
Owens	St. John	Taylor	Warren
Perloff	Slate	Therrell	Weeks
Porter	Smith (K)	Timmons	Williams
Pruitt	Smith (P)	Turner	Wise
Reed (T)	Snell	Waggoner	Wood
Reid (R)	Stewart	Waldrop	Wynot
Reynolds	Stokes		

—98

And the bill:

H. 1051. Relating to counties having a population of not less than 12,700 and not more than 13,100 according to the most recent federal decennial census; to provide for the compensation and certain expenses of the register of the circuit court in any such county, payable from county funds; and providing for certain other duties of such register.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hughes	Pruitt
Adams	Cross	Jackson	Reed (T)
Adwell	Crowe	Jones (F)	Reid (R)
Agee	Culver	King	Reynolds
Bank	Dill	Kinsey	Roberts
Barkett	Doss	Lang	St. John
Barron	Downing	Lutz	Slate
Bassett	Drake	McBride	Smith (K)
Benton	Easters	McCluskey	Smith (P)
Boles	Edwards	McDonald	Snell
Boutwell	Ellis	McMillan	Stewart
Bowers	Erdreich	McNair	Stokes
Brassell	Fite	Manley	Taylor
Burgess	Gafford	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Mims	Waggoner
Casey	Grey (D)	Naramore	Waldrop
Chesnut	Hale	Nettles	Wallace
Collins	Hardin	O'Daniel	Warren
Connell	Harris	Owens	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Porter	Wynot

—92

And the bill:

H. 1052. Relating to all counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal decennial census; to provide an expense allowance for members of the county board of equalization.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
14th Day

1223

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Crowe	Jackson	Reid (R)
Adwell	Culver	Jones (F)	Reynolds
Agee	Dill	King	Roberts
Bank	Doss	Kinsey	St. John
Barkett	Downing	Lang	Slate
Barron	Drake	Lutz	Smith (K)
Bassett	Easters	McBride	Smith (P)
Benton	Edwards	McCluskey	Snell
Boles	Ellis	McDonald	Stewart
Boutwell	Erdreich	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Callahan	Gafford	May	Therrell
Carnes	Goodwin	Merrill	Timmons
Carter	Grainger	Mims	Turner
Casey	Gray (F)	Naramore	Waldrop
Cauthen	Gray (D)	Nettles	Wallace
Chesnut	Hale	O'Daniel	Warren
Collins	Hardin	Owens	Weeks
Connell	Harris	Perloff	Williams
Coshatt	Headley	Porter	Wise
Cottingham	Hearn	Pruitt	Wynot
Crawford	Hill		

—94

And the bill:

H. 1088. To alter, redefine and reduce the corporate limits of the City of Rainbow City so as to exclude therefrom any and all territory lying within the boundaries of St. Clair County.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 4.

Yeas:

Messrs.:	Connell	Grey (D)	McNair
Adams	Coshatt	Hale	Manley
Agee	Cottingham	Hardin	Mathews
Bank	Crawford	Harris	May
Barkett	Cross	Headley	Meeks
Barron	Culver	Hearn	Merrill
Bassett	Downing	Hill	Naramore
Benton	Drake	Hughes	Nettles
Boles	Easters	Jackson	O'Daniel
Boutwell	Edwards	Jones (F)	Owens
Bowers	Ellis	King	Perloff
Brassell	Erdreich	Kinsey	Porter
Callahan	Fite	Lang	Pruitt
Carter	Flippo	Lutz	Reed (T)
Casey	Gafford	McBride	Reid (R)
Cauthen	Goodwin	McCluskey	Reynolds
Chesnut	Grainger	McDonald	Roberts
Collins	Gray (F)	McMillan	St. John

Slate	Stokes	Waggoner	Weeks
Smith (K)	Stubbs	Waldrop	Williams
Snell	Taylor	Wallace	Wise
Stewart	Turner		

—85

Nays:

Messrs.:	Dill	Timmons	Wynot
Carnes			

—4

And the bill:

H. 1089. To provide that no municipality whose corporate limits do not lie within or extend into St. Clair County shall have or exercise police jurisdiction or powers in said county.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Messrs.:	Crowe	Hughes	Pruitt
Adams	Culver	Jackson	Reed (T)
Adwell	Dill	Jones (F)	Reid (R)
Agee	Doss	King	Reynolds
Bank	Downing	Kinsey	Roberts
Barkett	Drake	Lang	St. John
Barron	Easters	Lutz	Smith (K)
Bassett	Edwards	McBride	Smith (P)
Benton	Ellis	McCluskey	Snell
Boles	Erdreich	McDonald	Stewart
Boutwell	Fite	McMillan	Stokes
Bowers	Flippo	McNair	Stubbs
Brassell	Gafford	Manley	Taylor
Callahan	Grainger	Mathews	Therrell
Carnes	Gray (F)	May	Timmons
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Waggoner
Chesnut	Hardin	Naramore	Waldrop
Collins	Harris	Nettles	Wallace
Connell	Headley	O'Daniel	Weeks
Coshatt	Hearn	Owens	Williams
Cottingham	Hill	Perloff	Wise
Crawford	Hobbie	Porter	Wynot
Cross			

—92

And the bill:

H. 1090. To amend Section 11 of Act No. 1043, H. 1901, Regular Session 1971, (Acts 1971, p. 1851), providing for a liquor tax in counties of a certain population, so as to provide that all revenue collected under this act shall be deposited in the county General Fund; to make this amendment retroactive.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
14th Day

1225

Yeas 92; Nays 0.

Yeas:

Messrs.:	Culver	Jackson	Reid (R)
Adams	Dill	Jones (F)	Reynolds
Adwell	Doss	King	Roberts
Agee	Downing	Kinsey	St. John
Bank	Drake	Lang	Slate
Barkett	Easters	Lutz	Smith (K)
Barron	Edwards	McBride	Smith (P)
Bassett	Erdreich	McCluskey	Snell
Benton	Fite	McDonald	Stewart
Boutwell	Flippo	McMillan	Stokes
Brassell	Gafford	McNair	Stubbs
Callahan	Goodwin	Manley	Taylor
Carnes	Grainger	Mathews	Therrell
Carter	Gray (F)	Meeks	Timmons
Casey	Gray (D)	Merrill	Turner
Cauthen	Hale	Naramore	Waggoner
Chesnut	Hardin	Nettles	Waldrop
Collins	Harris	O'Daniel	Wallace
Connell	Headley	Owens	Warren
Coshatt	Hearn	Perloff	Weeks
Cottingham	Hill	Porter	Williams
Crawford	Hobbie	Pruitt	Wise
Cross	Hughes	Reed (T)	Wynot
Crowe			

—92

And the bill:

H. 997. To amend Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to authorize the county transit authority provided for by said Act to provide charter service within the State of Alabama.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Casey	Edwards	Hill
Adams	Cauthen	Ellis	Hobbie
Adwell	Chesnut	Erdreich	Hughes
Agee	Collins	Falkenburg	Jackson
Bank	Connell	Fite	Jones (F)
Barkett	Coshatt	Flippo	King
Barron	Cottingham	Gafford	Lang
Bassett	Crawford	Goodwin	Lutz
Benton	Cross	Grainger	McBride
Boles	Crowe	Gray (F)	McCluskey
Boutwell	Culver	Gray (D)	McDonald
Bowers	Dill	Hale	McMillan
Brassell	Doss	Hardin	McNair
Callahan	Downing	Harris	Manley
Carnes	Drake	Headley	Mathews
Carter	Easters	Hearn	May

14th Day

Meeks	Pruitt	Snell	Waldrop
Merrill	Reed (T)	Stewart	Wallace
Mims	Reid (R)	Stokes	Warren
Naramore	Reynolds	Stubbs	Weeks
Nettles	Roberts	Taylor	Williams
O'Daniel	St. John	Therrell	Wise
Owens	Slate	Timmons	Wood
Perloff	Smith (K)	Turner	Wynot
Porter	Smith (P)	Waggoner	

—99

And the bill:

H. 893. To further amend Section 3 of Act No. 695, H. 1072, Regular Session 1951 (Acts 1951, p. 1198), as amended, relating to the registration and purgation of voters in counties having a population of 400,000 or more, so as to authorize the boards of registrars in any such county to meet from time to time in any of the precincts in any such county for the purpose of registering voters.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Culver	Jackson	Reid (R)
Adwell	Dill	Jones (F)	Reynolds
Agee	Doss	King	Roberts
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McBride	Smith (K)
Bassett	Edwards	McCluskey	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Erdreich	McMillan	Stewart
Boutwell	Falkenburg	McNair	Stokes
Bowers	Flippo	Manley	Taylor
Brassell	Gafford	Mathews	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Waggoner
Carter	Gray (F)	Mims	Waldrop
Casey	Grey (D)	Naramore	Wallace
Cauthen	Hale	Nettles	Warren
Chesnut	Hardin	O'Daniel	Weeks
Collins	Harris	Owens	Williams
Coshatt	Hearn	Perloff	Wise
Cottingham	Hill	Porter	Wynot
Crawford	Hobbie	Pruitt	

—91

And the bill:

H. 854. To fix the fee and allowance of the sheriffs of all counties having populations of 500,000 or more according to the most recent federal decennial census, for serving summons on witnesses; and repealing conflicting laws.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION

1227

14th Day

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Cross	Hill	Perloff
Adams	Crowe	Hobbie	Porter
Adwell	Culver	Hughes	Pruitt
Agee	Dill	Jackson	Reid (R)
Bank	Doss	Jones (F)	Reynolds
Barkett	Downing	King	Roberts
Barron	Drake	Lang	St. John
Bassett	Easters	Lutz	Slate
Benton	Edwards	McBride	Smith (K)
Boles	Ellis	McCluskey	Snell
Boutwell	Erdreich	McDonald	Stewart
Bowers	Falkenburg	McMillan	Stokes
Brassell	Fite	McNair	Stubbs
Callahan	Flippo	Manley	Taylor
Carnes	Gafford	Mathews	Timmons
Carter	Goodwin	May	Waggoner
Casey	Grainger	Meeks	Waldrop
Cauthen	Gray (F)	Merrill	Wallace
Chesnut	Grey (D)	Mims	Warren
Collins	Hale	Naramore	Weeks
Connell	Hardin	Nettles	Williams
Coshatt	Harris	O'Daniel	Wise
Cottingham	Headley	Owens	Wynot
Crawford	Hearn		

—94

And the bill:

H. 820. To amend Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of five (5) Directors for the county transit authority provided for by said Act, to provide for the appointment of one director of such authority by each of the three largest participating municipalities in such county, to provide for the initial terms of office of such Directors, to provide for the termination of the term of office of the directors of any existing authority and the election of new directors for such authority, and to provide for the dissolution of such authority and the disposition of its property.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Brassell	Coshatt	Easters
Adams	Callahan	Cottingham	Edwards
Adwell	Carnes	Crawford	Ellis
Bank	Carter	Cross	Erdreich
Barkett	Casey	Culver	Falkenburg
Barron	Cauthen	Dill	Fite
Bassett	Chesnut	Doss	Flippo
Boutwell	Collins	Downing	Gafford
Bowers	Connell	Drake	Goodwin

Grainger	McBride	Owens	Stokes
Gray (F)	McCluskey	Perloff	Therrell
Grey (D)	McCorquodale	Porter	Timmons
Hale	McDonald	Pruitt	Turner
Hardin	McMillan	Reid (R)	Waggoner
Harris	Manley	Reynolds	Waldrop
Hearn	Mathews	Roberts	Wallace
Hill	May	Robertson	Warren
Hobbie	Meeks	St. John	Weeks
Hughes	Merrill	Slate	Williams
Jones (F)	Namorre	Smith (K)	Wise
King	Nettles	Stewart	Wynot
Lutz	O'Daniel		

—86

And the bill:

H. 819. To amend Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, Page 797 et seq.); to name and define officers of the Birmingham-Jefferson County Civic Center Authority, and authorize the hiring of architects.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 1.

Yeas:

Messrs.:	Crawford	Hobbie	Pruitt
Adams	Cross	Hughes	Reid (R)
Adwell	Culver	Jackson	Reynolds
Bank	Dill	Jones (F)	Roberts
Barkett	Doss	King	Robertson
Barron	Downing	Lang	St. John
Bassett	Drake	Lutz	Slate
Benton	Easters	McBride	Smith (K)
Boles	Edwards	McCluskey	Snell
Boutwell	Ellis	McDonald	Stewart
Bowers	Falkenburg	McMillan	Stokes
Brassell	Fite	Manley	Therrell
Callahan	Flippo	Mathews	Timmons
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Waggoner
Casey	Grainger	Merrill	Waldrop
Cauthen	Gray (F)	Namorre	Wallace
Chesnut	Grey (D)	Nettles	Warren
Collins	Hale	O'Daniel	Weeks
Connell	Hardin	Owens	Williams
Coshatt	Harris	Perloff	Wise
Cottingham	Hill	Porter	Wynot

—87

Nay: Mr. Erdreich.

—1

And the bill:

H. 818. To validate the attempted incorporation of the inhabitants of any territory lying within a county having a population of 600,000 or more as a municipal corporation, where any portion of said territory, or its perimeter, lies within three miles of an existing city or town, and the Judge of Probate of said county has made an order that the inhabitants of said territory are

REGULAR SESSION
14th Day

1229

incorporated as a town or city; provided however, that this act shall not apply to the incorporation of any municipality hertofore held to be invalid by a court of competent jurisdiction.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 1.

Yeas:

Mr. Speaker	Cross	Hughes	Reed (T)
Adams	Crowe	Jackson	Reynolds
Adwell	Culver	Jones (F)	Roberts
Bank	Dill	King	Robertson
Barkett	Downing	Lang	St. John
Barron	Drake	Lutz	Slate
Bassett	Easters	McBride	Smith (K)
Benton	Edwards	McCluskey	Snell
Boles	Ellis	McCorquodale	Stewart
Boutwell	Erdreich	McDonald	Stokes
Bowers	Falkenburg	McMillan	Taylor
Brassell	Fite	McNair	Therrell
Callahan	Flipppo	Manley	Timmons
Carnes	Gafford	May	Turner
Carter	Goodwin	Meeks	Waggoner
Casey	Grainger	Merrill	Waldrop
Cauthen	Gray (F)	Naramore	Wallace
Chesnut	Grey (D)	Nettles	Warren
Collins	Hale	O'Daniel	Weeks
Connell	Hardin	Owens	Williams
Coshatt	Harris	Perloff	Wise
Cottingham	Hill	Porter	Wynot
Crawford	Hobbie	Pruitt	—91

Nay: Mr. Doss.

—1

And the bill:

H. 577. To authorize the Alabama Alcoholic Beverage Control Board in its discretion to grant to any civic center authority to which a liquor license has been issued under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature a revocable temporary permit to sell or dispense in any part of its civic center for consumption therein draft or keg beer or malt beverages; to provide for the automatic termination of permits granted hereunder; and to repeal all laws or parts of laws which conflict with the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 9.

Yeas:

Adams	Boutwell	Cauthen	Culver
Adwell	Brassell	Collins	Dill
Bank	Callahan	Coshatt	Downing
Barkett	Carnes	Cottingham	Easters
Barron	Carter	Crawford	Edwards
Bassett	Casey	Cross	Erdreich

14th Day

Falkenburg	McBride	O'Daniel	Snell
Grainger	McCluskey	Owens	Stewart
Gray (F)	McDonald	Perloff	Stokes
Grey (D)	McMillan	Porter	Taylor
Hale	McNair	Pruitt	Timmons
Hardin	Manley	Reed (T)	Turner
Harris	Mathews	Roberts	Waldrop
Hobbie	May	Robertson	Williams
Jackson	Meeks	St. John	Wise
Jones (F)	Merrill	Slate	Wood
King	Mims	Smith (K)	Wynot
Lutz	Nettles		

—70

Nays:

Messrs.:	Doss	Hughes	Reynolds
Bowers	Drake	Reid (R)	Wallace
Connell	Goodwin		

—9

And the bill:

H. 576. To amend Section 1.07 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hill	Pruitt
Adams	Cross	Hobbie	Reid (R)
Adwell	Culver	Hughes	Reynolds
Bank	Dill	Jackson	Roberts
Barkett	Doss	Jones (F)	Robertson
Barron	Downing	King	St. John
Bassett	Drake	Lutz	Slate
Benton	Easters	McBride	Smith (K)
Boles	Edwards	McCluskey	Snell
Boutwell	Ellis	McDonald	Stewart
Bowers	Erdreich	McMillan	Stokes
Brassell	Falkenburg	Manley	Therrell
Callahan	Fite	Mathews	Timmons
Carnes	Flippo	May	Turner
Carter	Gafford	Meeks	Waggoner
Casey	Goodwin	Merrill	Waldrop
Cauthen	Grainger	Naramore	Wallace
Chesnut	Gray (F)	Nettles	Weeks
Collins	Grey (D)	O'Daniel	Williams
Connell	Hale	Owens	Wise
Coshatt	Hardin	Perloff	Wood
Cottingham	Harris	Porter	Wynot

—88

And the bill:

H. 528. To provide for and regulate special elections to fill vacancies which occur on the governing bodies of counties of this State having popula-

REGULAR SESSION
14th Day

1231

tions of 500,000 or more according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Hobbie	Reid (R)
Adams	Crowe	Hughes	Reynolds
Adwell	Culver	Jackson	Roberts
Bank	Doss	Jones (F)	Robertson
Barkett	Downing	King	St. John
Barron	Drake	Lutz	Slate
Bassett	Easters	McBride	Smith (K)
Benton	Edwards	McCluskey	Smith (P)
Boutwell	Ellis	McDonald	Snell
Bowers	Erdreich	McMillan	Stewart
Brassell	Falkenburg	McNair	Stokes
Callahan	Fite	Manley	Timmons
Carnes	Flippo	Mathews	Turner
Carter	Gafford	May	Waggoner
Casey	Goodwin	Meeks	Waldrop
Cauthen	Grainger	Merrill	Wallace
Chesnut	Gray (F)	Naramore	Weeks
Collins	Grey (D)	Nettles	Williams
Connell	Hale	O'Daniel	Wise
Coshatt	Hardin	Owens	Wood
Cottingham	Harris	Porter	Wynot
Crawford	Hill	Pruitt	

—87

And the bill:

H. 527. Relating to counties having a population of 500,000 or more inhabitants, according to the most recent federal decennial census; to provide that the poll list actually signed by each voter at any general, special, primary or municipal election held in such counties shall be filed and maintained in the probate office as a public record for one year from the date of said election.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Callahan	Culver	Gafford
Adams	Carnes	Dill	Goodwin
Adwell	Carter	Doss	Grainger
Bank	Casey	Downing	Gray (F)
Barkett	Cauthen	Drake	Grey (D)
Barron	Collins	Easters	Hale
Bassett	Connell	Edwards	Hardin
Benton	Coshatt	Ellis	Harris
Boles	Cottingham	Erdreich	Hill
Boutwell	Crawford	Falkenburg	Hobbie
Bowers	Cross	Fite	Hughes
Brassell	Crowe	Flippo	Jackson

Jones (F)	Meeks	Robertson	Timmons
King	Merrill	St. John	Turner
Lang	Naramore	Slate	Waggoner
Lutz	Nettles	Smith (K)	Waldrop
McBride	O'Daniel	Smith (P)	Wallace
McCluskey	Owens	Snell	Weeks
McDonald	Perloff	Stewart	Williams
McMillan	Porter	Stokes	Wise
McNair	Reid (R)	Taylor	Wood
Mathews	Reynolds	Therrell	Wynot
May	Roberts		

—90

And the bill:

H. 377. Relating to counties of 500,000 or more; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

Was taken up.

Mr. Dill offered the following amendment to the bill:

Strike out the present title and insert in lieu thereof the following:

Relating to counties of 500,000 or more; to authorize the distillation, manufacture or making of any alcoholic spirituous, vinous or otherwise alcoholic beverages and malt and brewed beverages in such county.

Strike out the current Section 1 and insert in lieu thereof the following:

Section 1. Any law or regulation of the Alcoholic Beverage Control Board to the contrary notwithstanding, it shall be legal to distill, manufacture or make any alcoholic spirituous, vinous, fermented or brewed beverages including but not limited to beer, lager beer, ale, porter or similar fermented malt brewed or malt liquors in counties of 500,000 or more inhabitants according to the most recent federal decennial census, and to transport, sell and deliver such alcoholic beverages to the Alcoholic Beverage Control Board or to wholesalers, distributors or jobbers inside or outside this state.

And the amendment was adopted.

Yeas 46; Nays 10.

Yeas:

Messrs.:	Coshatt	Lutz	Smith (K)
Adwell	Crawford	McBride	Snell
Bank	Dill	McMillan	Stokes
Barkett	Downing	McNair	Taylor
Barron	Ellis	Manley	Therrell
Bassett	Erdreich	May	Timmons
Boutwell	Gray (F)	Meeks	Waggoner
Brassell	Grey (D)	Nettles	Waldrop
Callahan	Hardin	Owens	Weeks
Carnes	Harris	Perloff	Williams
Cauthen	Hill	Roberts	Wood
Collins	Lang	Robertson	

—46

Nays:

Messrs.:	Drake	Hughes	Reynolds
Bowers	Fite	Jackson	Wallace
Doss	Hale	Reid (R)	

—10

REGULAR SESSION
14th Day

1233

And the bill:

H. 377. Relating to counties of 500,000 or more; to authorize the distillation, manufacture or making of any alcoholic spirituous, vinous or otherwise alcoholic beverages and malt and brewed beverages in such county.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 45; Nays 18.

Yeas:

Messrs.:	Coshatt	King	Parker
Adwell	Crawford	Lang	Perloff
Bank	Cross	Lutz	Roberts
Barkett	Culver	McBride	Smith (K)
Bassett	Dill	McMillan	Stokes
Boutwell	Downing	McNair	Timmons
Brassell	Erdreich	Manley	Waggoner
Callahan	Gray (F)	May	Waldrop
Carnes	Grey (D)	Meeks	Weeks
Carter	Hardin	Nettles	Williams
Cauthen	Harris	Owens	Wood
Collins	Hill		

—45

Nays:

Messrs.:	Ellis	Hughes	Robertson
Boles	Fite	Jackson	St. John
Bowers	Gafford	McDonald	Turner
Doss	Goodwin	Reid (R)	Wallace
Drake	Hale	Reynolds	

—18

And the bill:

H. 996. To further amend Title 13, Section 187, Code of Alabama 1940, as amended, which provides for the appointment, compensation and duties of circuit court bailiffs, so as to provide for counties having a population of not less than 175,000 and not more than 300,000, according to the most recent federal decennial census, with three or more circuit judges, to increase the compensation of bailiffs without a law degree and to establish a rate of compensation for bailiffs with law degrees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Bowers	Coshatt	Ellis
Adams	Brassell	Cottingham	Erdreich
Adwell	Callahan	Cross	Falkenburg
Agee	Carnes	Crowe	Fite
Barkett	Carter	Culver	Flippo
Barron	Casey	Doss	Gafford
Bassett	Cauthen	Downing	Goodwin
Benton	Chesnut	Drake	Grainger
Boles	Collins	Easters	Gray (F)
Boutwell	Connell	Edwards	Grey (D)

Hale	McMillan	Porter	Stokes
Hardin	McNair	Pruitt	Taylor
Harris	Manley	Reed (T)	Therrell
Hill	Mathews	Reid (R)	Turner
Hobbie	May	Reynolds	Waggoner
Jackson	Meeks	Roberts	Waldrop
Jones (F)	Merrill	Robertson	Wallace
King	Naramore	St. John	Warren
Lang	Nettles	Slate	Weeks
Lutz	O'Daniel	Smith (K)	Williams
McBride	Owens	Smith (P)	Wise
McCluskey	Parker	Snell	Wood
McCorquodale	Perloff	Stewart	Wynot
McDonald			

—93

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for the Journal to show Mr. Falkenburg voting "Nay" on the bill, H. 377 as amended.

NOTICE IN WRITING

Pursuant to the Notice in Writing given on the last legislative day, Mr. Culver moved that the bill, H. 526, be removed from the Adverse Calendar and placed on the Regular Calendar, and the motion was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 390. To amend Title 13, Section 350; to raise the age of "juvenile to 18".

As amended on the last legislative day, was taken up.

H. 390 INDEFINITELY POSTPONED

On motion of Mr. Wood, the bill, H. 390 as amended, was indefinitely postponed.

Yeas 48; Nays 41.

Yeas:

Mr. Speaker	Downing	Hughes	Reynolds
Barkett	Drake	Jackson	Roberts
Boles	Easters	Lang	Robertson
Callahan	Edwards	McCluskey	St. John
Chesnut	Ellis	McDonald	Snell
Collins	Falkenburg	Mathews	Stokes
Connell	Fite	Naramore	Stubbs
Coshatt	Flippo	Nettles	Therrell
Crawford	Goodwin	Owens	Wallace
Cross	Grey (D)	Parker	Warren
Crowe	Headley	Porter	Wise
Culver	Hill	Reid (R)	Wood

—48

Nays:

Messrs.:	Barron	Boutwell	Carnes
Adams	Bassett	Brassell	Casey
Agee	Benton	Burgess	Cauthen

REGULAR SESSION
14th Day

1235

Cottingham	Hearn	McMillan	Smith (K)
Dill	Hobbie	McNair	Stewart
Doss	Jones (F)	Manley	Taylor
Erdreich	King	Meeks	Timmons
Grainger	Kinsey	Merrill	Turner
Hale	Lutz	Mims	Waldrop
Hardin	McBride	Pruitt	Wynot
Harris	McCorquodale		

—41

And the bill:

H. 427. To prohibit the transportation of blasting caps and explosives in the same vehicle over the public roads and highways or in railroad cars on railroads in this state; prescribing penalties for the violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Pruitt
Adams	Dill	King	Reid (R)
Agee	Doss	Kinsey	Reynolds
Barkett	Downing	Lang	Roberts
Barron	Drake	Lutz	Robertson
Bassett	Easters	McBride	St. John
Benton	Edwards	McCluskey	Smith (K)
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Stewart
Bowers	Fite	McMillan	Stokes
Brassell	Flippo	McNair	Stubbs
Burgess	Gafford	Manley	Taylor
Callahan	Goodwin	Mathews	Therrell
Carnes	Grainger	May	Timmons
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Waggoner
Cauthen	Hardin	Mims	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	O'Daniel	Warren
Connell	Hearn	Owens	Weeks
Coshatt	Hill	Parker	Wise
Cottingham	Hobbie	Perloff	Wood
Crawford	Hughes	Porter	Wynot
Cross	Jackson		

—94

MOTION TO RECONSIDER

Having voted on the prevailing side, Mr. Culver moved to reconsider the vote by which the bill, H. 390 as amended, was indefinitely postponed.

MOTION TO TABLE LOST

The motion of Mr. Wood to table the motion of Mr. Culver to reconsider, was lost.

Yeas 46; Nays 46.

Yeas:

Mr. Speaker	Boles	Collins	Crawford
Agee	Callahan	Connell	Cross
Barkett	Chesnut	Coshatt	Crowe

Downing	Headley	Owens	Slate
Drake	Hughes	Parker	Stokes
Easters	Jackson	Porter	Stubbs
Edwards	Lang	Reid (R)	Waggoner
Ellis	McDonald	Reynolds	Wallace
Fite	Mathews	Roberts	Warren
Gafford	Mims	Robertson	Wise
Goodwin	Naramore	St. John	Wood
Grey (D)	Nettles		

—46

Nays:

Messrs.:	Cottingham	Hearn	Meeks
Adams	Culver	Hill	Merrill
Bank	Dill	Hobbie	Perloff
Barron	Doss	Jones (F)	Pruitt
Bassett	Erdreich	King	Smith (K)
Benton	Falkenburg	Kinsey	Stewart
Boutwell	Flippo	Lutz	Taylor
Bowers	Grainger	McBride	Timmons
Brassell	Gray (F)	McCorquodale	Turner
Burgess	Hale	McMillan	Waldrop
Carnes	Hardin	McNair	Wynot
Casey	Harris	Manley	

—46

MOTION TO RECONSIDER ADOPTED

The question was then on the motion of Mr. Culver to reconsider the vote by which the bill, H. 390 as amended, was indefinitely postponed, and the motion was adopted.

Yeas 51; Nays 45

Yeas:

Messrs.:	Cottingham	Hughes	Pruitt
Adams	Culver	Jones (F)	Reed (T)
Bank	Doss	King	Slate
Barron	Erdreich	Kinsey	Smith (K)
Bassett	Flippo	Lutz	Stewart
Benton	Grainger	McBride	Taylor
Boutwell	Gray (F)	McCorquodale	Therrell
Bowers	Hale	McMillan	Timmons
Brassell	Hardin	Manley	Turner
Burgess	Harris	Meeks	Waggoner
Carnes	Hearn	Merrill	Waldrop
Casey	Hill	Parker	Weeks
Cauthen	Hobbie	Perloff	Wynot

—51

Nays:

Mr. Speaker	Coshatt	Ellis	McDonald
Agee	Crawford	Fite	Mathews
Barkett	Cross	Gafford	Mims
Boles	Crowe	Goodwin	Naramore
Callahan	Dill	Grey (D)	Nettles
Carter	Downing	Headley	Owens
Chesnut	Drake	Jackson	Reid (R)
Collins	Easters	Lang	Reynolds
Connell	Edwards	McCluskey	Roberts

REGULAR SESSION

1237

14th Day

Robertson
St. John
Snell

Stokes
Stubbs

Wallace
Warren

Wise
Wood

—45

H. 390 RECONSIDERED

And the bill, H. 390 as amended, was again taken up.

MOTION TO POSTPONE TABLED

On motion of Mr. Lutz, the motion of Mr. Wood to postpone the bill, H. 390 as amended, to the twenty-fifth legislative day, was tabled.

Yeas 48; Nays 42.

Yeas:

Messrs.:

Adams
Bank
Barron
Benton
Boutwell
Bowers
Brassell
Burgess
Carnes
Casey
Cauthen
Cottingham

Culver
Doss
Ellis
Erdreich
Flippo
Grainger
Hale
Hardin
Harris
Hearn
Hill
Hobbie

Hughes
Jones (F)
King
Kinsey
Lutz
McBride
McCorquodale
McMillan
McNair
Manley
Meeks
Merrill

Perloff
Reed (T)
Slate
Smith (K)
Stewart
Taylor
Timmons
Turner
Waldrop
Wallace
Weeks
Wynot

—48

Nays:

Mr. Speaker
Agee
Barkett
Callahan
Carter
Chesnut
Collins
Connell
Coshatt
Crawford
Cross

Crowe
Dill
Downing
Drake
Easters
Edwards
Fite
Goodwin
Grey (D)
Jackson
Lang

McDonald
May
Mims
Naramore
Nettles
Owens
Parker
Porter
Pruitt
Reid (R)

Reynolds
Roberts
Robertson
St. John
Snell
Stokes
Waggoner
Warren
Wise
Wood

—42

AMENDMENT LOST

The question was then on the amendment offered by Messrs. Drake, Fite, St. John, McDonald, Reid (R) and Grey (D) to the bill, H. 390 as amended, on the thirteenth legislative day, and the amendment was lost.

Yeas 45; Nays 48.

Yeas:

Mr. Speaker
Agee
Barkett
Boles
Burgess
Callahan
Carter

Chesnut
Collins
Connell
Cross
Crowe
Downing
Drake

Easters
Ellis
Falkenburg
Fite
Goodwin
Jackson
Lang

McDonald
Manley
May
Merrill
Mims
Naramore
Nettles

14th Day

Owens	Robertson	Stubbs	Warren
Parker	St. John	Therrell	Williams
Porter	Snell	Waggoner	Wise
Pruitt	Stewart	Wallace	Wood
Reid (R)			

—45

Nays:

Messrs.:	Crawford	Hearn	Perloff
Adams	Culver	Hill	Reed (T)
Bank	Dill	Hobbie	Slate
Barron	Doss	Jones (F)	Smith (K)
Benton	Edwards	King	Smith (P)
Boutwell	Erdreich	Kinsey	Stokes
Bowers	Flippo	Lutz	Taylor
Brassell	Grainger	McCluskey	Timmons
Carnes	Grey (D)	McCorquodale	Turner
Casey	Hale	McMillan	Waldrop
Cauthen	Hardin	McNair	Weeks
Coshatt	Harris	Meeks	Wynot
Cottingham			

—48

Mr. Lutz offered the following amendment to the bill, H. 390 as amended:

This Act shall not apply in Cullman, Blount, Marshall, Winston, Fayette, Marion, Colbert, Franklin, Mobile, Lawrence, Walker, Cherokee, Autauga, Lowndes, Pickens, Greene, Pike, Conecuh, Geneva, Hale, Bibb, Shelby, Lamar, Clay, Coosa, DeKalb, Chilton, Covington and St. Clair Counties.

AMENDMENT TABLED

On motion of Mr. Lutz, the amendment offered by him to the bill, H. 390 as amended, was tabled.

Yeas 48; Nays 45.

Yeas:

Messrs.:	Doss	Kinsey	Slate
Adams	Erdreich	Lutz	Smith (K)
Bank	Flippo	McBride	Smith (P)
Barron	Grainger	McCluskey	Snell
Bassett	Hale	McCorquodale	Stokes
Benton	Hardin	McMillan	Taylor
Bowers	Harris	Manley	Timmons
Brassell	Hill	Meeks	Turner
Burgess	Hobbie	Merrill	Waldrop
Carnes	Hughes	Perloff	Wallace
Cauthen	Jones (F)	Pruitt	Weeks
Cottingham	King	Reed (T)	Wynot
Culver			

—48

Nays:

Mr. Speaker	Chesnut	Crowe	Falkenburg
Agee	Collins	Downing	Fite
Barkett	Connell	Drake	Gafford
Callahan	Coshatt	Easters	Goodwin
Carter	Crawford	Edwards	Grey (D)
Casey	Cross	Ellis	Headley

REGULAR SESSION
14th Day

1239

Jackson	Nettles	Robertson	Waggoner
Lang	Owens	St. John	Warren
McDonald	Parker	Stewart	Williams
McNair	Reid (R)	Stubbs	Wise
Mims	Reynolds	Therrell	Wood
Naramore			—45

Mr. Parker offered the following amendment to the bill, H. 390 as amended:

This act shall not apply in Tuscaloosa County.

AMENDMENT TABLED

On motion of Mr. Lutz, the amendment offered by Mr. Parker was tabled.

Yeas 42; Nays 41.

Yeas:

Messrs.:	Cottingham	Hughes	Slate
Adams	Dill	Jones (F)	Smith (P)
Barron	Ellis	King	Stewart
Bassett	Erdreich	Kinsey	Stokes
Benton	Flippo	Lutz	Taylor
Bowers	Grainger	McCluskey	Timmons
Brassell	Hale	McMillan	Turner
Burgess	Hardin	McNair	Waldrop
Carnes	Harris	Meeks	Weeks
Casey	Hill	Merrill	Wynot
Cauthen	Hobbie	Perloff	—42

Nays:

Mr. Speaker	Crowe	Jackson	Porter
Agee	Downing	Lang	Reid (R)
Bank	Drake	McCorquodale	Reynolds
Barkett	Easters	McDonald	Robertson
Callahan	Falkenburg	May	St. John
Chesnut	Fite	Mims	Smith (K)
Collins	Gafford	Naramore	Stubbs
Connell	Goodwin	Nettles	Warren
Coshatt	Grey (D)	Owens	Wise
Crawford	Headley	Parker	Wood
Cross			—41

Messrs. Lutz and Burgess offered the following amendment to the bill, H. 390 as amended:

Amend House Bill 390 by adding the following Section VII and renumbering subsequent Sections accordingly:

Section VII. The provisions of this act shall not apply to any case in which a person sixteen years of age or older is charged with a capital offense, and such cases shall be under the jurisdiction of the Circuit Court.

MOTION TO POSTPONE TABLED

On motion of Mr. Lutz, the motion of Mr. Wood to postpone the bill, H. 390 as amended, to the sixteenth legislative day, was tabled.

Yeas 48; Nays 45.

Yeas:

Messrs.:	Cottingham	Hill	Perloff
Adams	Culver	Hobbie	Pruitt
Bank	Downing	Jones (F)	Reed (T)
Barron	Edwards	King	Slate
Bassett	Erdreich	Kinsey	Smith (K)
Benton	Flippo	Lutz	Stubbs
Boles	Grainger	McBride	Taylor
Boutwell	Hale	McMillan	Timmons
Bowers	Hardin	McNair	Turner
Brassell	Harris	Manley	Waldrop
Carnes	Headley	Meeks	Wallace
Casey	Hearn	Merrill	Wynot
Cauthen			

—48

Nays:

Mr. Speaker	Doss	McCorquodale	Reynolds
Agee	Drake	McDonald	Roberts
Barkett	Easters	Mathews	Robertson
Callahan	Ellis	May	St. John
Chesnut	Falkenburg	Mims	Stokes
Collins	Fite	Naramore	Therrell
Connell	Goodwin	Nettles	Waggoner
Coshatt	Grey (D)	Owens	Warren
Crawford	Jackson	Parker	Weeks
Cross	Lang	Porter	Wise
Crowe	McCluskey	Reid (R)	Wood
Dill			

—45

MOTION TO RECESS LOST

The motion of Mr. Lutz that the House stand in recess for five minutes, was lost.

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Messrs. Lutz and Burgess to the bill, H. 390 as amended, and the amendment was adopted.

Yeas 41; Nays 32.

Yeas:

Mr. Speaker	Easters	Hill	Porter
Adams	Edwards	Hobbie	Pruitt
Bank	Ellis	Jones (F)	Smith (P)
Barron	Erdreich	King	Stewart
Benton	Flippo	Kinsey	Stokes
Boutwell	Grainger	Lutz	Stubbs
Brassell	Grey (D)	McCluskey	Taylor
Burgess	Hale	McMillan	Timmons
Cottingham	Harris	McNair	Turner
Culver	Headley	Perloff	Weeks
Dill			

—41

Nays:

Messrs.:	Barkett	Callahan	Casey
Agee	Bassett	Carnes	Cauthen

REGULAR SESSION
14th Day

1241

Crawford	Hardin	Merrill	Slate
Cross	Hughes	Naramore	Waldrop
Crowe	Lang	Owens	Wallace
Downing	McCorquodale	Reynolds	Warren
Drake	McDonald	Robertson	Wood
Fite	Meeks	St. John	Wynot
Goodwin			

—32

Mr. Burgess offered the following amendment to the bill, H. 390 as amended:

Amend H. 390 by adding the following:

“However, this bill shall not apply to felonies.”

AMENDMENT TABLED

On motion of Mr. Lutz, the amendment offered by Mr. Burgess to the bill, H. 390 as amended, was tabled.

Yeas 48; Nays 38.

Yeas:

Messrs.:	Culver	Hearn	Pruitt
Adams	Dill	Hill	Reed (T)
Bank	Doss	Jones (F)	Slate
Barron	Downing	King	Smith (K)
Bassett	Edwards	Kinsey	Snell
Benton	Erdreich	Lutz	Taylor
Boutwell	Falkenburg	McCluskey	Therrell
Brassell	Flippo	McNair	Timmons
Carnes	Grainger	Manley	Turner
Casey	Hale	Meeks	Waldrop
Cauthen	Hardin	Perloff	Wallace
Cottingham	Harris	Porter	Wynot
Crawford			

—48

Nays:

Mr. Speaker	Crowe	Lang	Reid (R)
Agee	Drake	McCorquodale	Reynolds
Barkett	Easters	McDonald	Robertson
Burgess	Fite	McMillan	St. John
Callahan	Gafford	Mims	Stokes
Chesnut	Goodwin	Naramore	Stubbs
Collins	Grey (D)	Nettles	Warren
Connell	Headley	Owens	Wise
Coshatt	Jackson	Parker	Wood
Cross	Hughes		

—38

Mr. Reynolds offered the following amendment to the bill, H. 390 as amended:

Amend H. 390 by adding the following:

“However, this bill shall not apply in Colbert and Franklin Counties.”

MOTION TO TABLE LOST

The motion of Mr. Lutz to table the amendment offered by Mr. Reynolds, was lost.

Yeas 37; Nays 48.

Yeas:

Messrs.:	Dill	King	Pruitt
Adams	Erdreich	Kinsey	Slate
Barron	Flippo	Lutz	Smith (P)
Benton	Grainger	McCluskey	Snell
Brassell	Hale	McMillan	Stokes
Carnes	Hardin	McNair	Taylor
Casey	Harris	Manley	Timmons
Cauthen	Hearn	Meeks	Turner
Cottingham	Hill	Perloff	Waldrop
Culver	Jones (F)		

—37

Nays:

Mr. Speaker	Crowe	Hughes	Porter
Agee	Downing	Jackson	Reid (R)
Barkett	Drake	Lang	Reynolds
Boutwell	Easters	McCorquodale	Robertson
Callahan	Edwards	McDonald	St. John
Carter	Ellis	May	Smith (K)
Chesnut	Falkenburg	Mims	Stubbs
Collins	Fite	Naramore	Wallace
Connell	Gafford	Nettles	Warren
Coshatt	Goodwin	O'Daniel	Williams
Crawford	Grey (D)	Owens	Wise
Cross	Headley	Parker	Wood

—48

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Mr. Reynolds to the bill, H. 390 as amended, and the amendment was adopted.

Yeas 45; Nays 42.

Yeas:

Mr. Speaker	Crowe	Jackson	Porter
Agee	Downing	Lang	Reid (R)
Barkett	Drake	McCorquodale	Reynolds
Bassett	Easters	McDonald	Robertson
Burgess	Edwards	May	St. John
Callahan	Ellis	Meeks	Smith (K)
Chesnut	Falkenburg	Mims	Stubbs
Collins	Gafford	Naramore	Wallace
Connell	Goodwin	Nettles	Warren
Coshatt	Grey (D)	Owens	Williams
Crawford	Headley	Parker	Wise
Cross			

—45

Nays:

Messrs.:	Bowers	Culver	Grainger
Adams	Brassell	Dill	Hale
Bank	Carnes	Doss	Hardin
Barron	Casey	Erdreich	Harris
Benton	Cauthen	Fite	Hearn
Boutwell	Cottingham	Flippo	Hill

REGULAR SESSION

1243

14th Day

Hughes	McCluskey	Slate	Timmons
Jones (F)	McMillan	Snell	Turner
King	McNair	Stokes	Waldrop
Kinsey	Manley	Taylor	Weeks
Lutz	Perloff	Therrell	

—42

MOTION TO POSTPONE

Mr. Smith (P) moved that the bill, H. 390 as amended, be postponed until 5:00 o'clock p.m.

SUBSTITUTE MOTION OFFERED

Mr. Lang offered the substitute motion that the bill, H. 390 as amended, be postponed to the thirty-fifth legislative day.

MOTION TO TABLE LOST

The motion of Mr. Lutz to table the substitute motion offered by Mr. Lang, was lost.

Yeas 40; Nays 47.

Yeas:

Messrs.:	Cottingham	Hobbie	Porter
Adams	Culver	Hughes	Pruitt
Bank	Doss	Jones (F)	Smith (K)
Barron	Falkenburg	King	Stewart
Benton	Flippo	Kinsey	Taylor
Boutwell	Grainger	Lutz	Timmons
Bowers	Hale	McCluskey	Turner
Brassell	Hardin	McMillan	Waldrop
Carnes	Harris	McNair	Wallace
Cauthen	Hill	Manley	Wynot
Chesnut			

—40

Nays:

Mr. Speaker	Downing	Mathews	Robertson
Agee	Drake	May	St. John
Barkett	Easters	Meeks	Slate
Bassett	Edwards	Merrill	Smith (P)
Burgess	Fite	Mims	Snell
Callahan	Goodwin	Naramore	Stokes
Collins	Grey (D)	Nettles	Stubbs
Connell	Headley	Owens	Therrell
Coshatt	Jackson	Parker	Warren
Crawford	Lang	Reid (R)	Wise
Cross	McCorquodale	Reynolds	Wood
Dill	McDonald	Roberts	

—47

SUBSTITUTE MOTION ADOPTED

The question was then on the substitute motion offered by Mr. Lang, that the bill, H. 390 as amended, be postponed to the thirty-fifth legislative day, and the substitute motion was adopted.

Yeas 52; Nays 40.

Yeas:

Mr. Speaker	Barkett	Boles	Callahan
Agee	Bassett	Burgess	Carter

Chesnut	Edwards	Mathews	Roberts
Collins	Ellis	May	Robertson
Connell	Fite	Mims	St. John
Coshatt	Goodwin	Naramore	Smith (P)
Crawford	Grey (D)	Nettles	Stokes
Cross	Headley	Owens	Stubbs
Crowe	Hughes	Parker	Timmons
Dill	Jackson	Perloff	Wallace
Downing	Lang	Porter	Warren
Drake	McCluskey	Reid (R)	Wise
Easters	McDonald	Reynolds	Wood

—52

Nays:

Messrs.:	Doss	Jones (F)	Slate
Adams	Erdreich	King	Smith (K)
Bank	Falkenburg	Kinsey	Snell
Barron	Flippo	Lutz	Stewart
Benton	Grainger	McCorquodale	Taylor
Boutwell	Hale	McMillan	Therrell
Brassell	Hardin	McNair	Turner
Carnes	Harris	Manley	Waldrop
Cauthen	Hill	Meeks	Weeks
Cottingham	Hobbie	Pruitt	Wynot
Culver			

—40

RESOLUTION

The following resolution was introduced:

By Messrs. Smith (P), Adams, Agee, Bank, Barkett, Barron, Bassett, Benton, Boles, Boutwell, Bowers, Brassell, Burgess, Callahan, Carnes, Carter, Casey, Cauthen, Chesnut, Collins, Connell, Cottingham, Crawford, Cross, Crowe, Culver, Doss, Downing, Drake, Easters, Edwards, Fite, Flippo, Gafford, Goodwin, Gray (F), Grey (D), Hale, Hardin, Headley, Hearn, Hill, Hobbie, Hughes, Jackson, Jones (F), King, Kinsey, Lang, Lyons, McBride, McCluskey, McCorquodale, McDonald, McMillan, Manley, Mathews, May, Meeks, Merrill, Mims, Naramore, Nettles, O'Daniel, Owens, Parker, Perloff, Porter, Pruitt, Reed (T), Reid (R), Reynolds, Roberts, St. John, Slate, Smith (K), Snell, Stewart, Stokes, Stubbs, Therrell, Turner, Turnham, Waggoner, Waldrop, Wallace, Warren, Weeks, Williams, Wise, Wood and Wynot:

H. R. 120. WHEREAS, American consumers are threatened by the current price freeze with a complete breakdown in the marketing system of numerous farm products, including red meats, milk, poultry, eggs, pork, and vegetables; and,

WHEREAS, hundreds of Alabama farmers, producers and processors face economic ruin which would cause severe hardship to our entire state; and,

WHEREAS, problems caused by the price freeze are complicated by a continued record export of feed grains and soybeans which is lowering our domestic supply to possibly disastrous levels;

NOW THEREFORE, BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we endorse the June 21, 1973, resolution of the United States Senate Committee on Agriculture and Forestry,

which calls on the President to remove agriculture from the price freeze at once and place it under a plan better adapted to the special needs and problems of agricultural production; and,

BE IT FURTHER RESOLVED, That we endorse the request being made by United States Senator James B. Allen to administration officials of the United States to ban exports of feed grains and other agricultural commodities that are in short supply pending harvesting of this year's crops;

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the United States Secretary of Agriculture and to each member of Alabama's Congressional delegation.

On motion of Mr. Smith (P), the rules were suspended and the resolution, H. R. 120, was adopted.

MOTION TO RECONSIDER

Having voted on the prevailing side, Mr. Fite moved to reconsider the vote by which the bill, H. 390 as amended, was postponed to the thirty-fifth legislative day.

MOTION TO TABLE LOST

The motion of Mr. Wood to table the motion to reconsider by Mr. Fite, was lost.

Yeas 38; Nays 52.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)
Barkett	Downing	Lang	Reynolds
Burgess	Drake	McBride	St. John
Callahan	Easters	May	Stokes
Chesnut	Edwards	Naramore	Stubbs
Collins	Fite	Nettles	Waggoner
Connell	Goodwin	Owens	Wallace
Coshatt	Grey (D)	Parker	Wise
Crawford	Headley	Porter	Wood
Cross	Hughes		

—38

Nays:

Messrs.:	Cottingham	Kinsey	Reed (T)
Adams	Culver	Lutz	Robertson
Agee	Dill	McCluskey	Slate
Bank	Doss	McCorquodale	Smith (K)
Barron	Ellis	McDonald	Snell
Bassett	Erdreich	McMillan	Stewart
Benton	Flippo	McNair	Taylor
Boles	Hardin	Manley	Therrell
Boutwell	Harris	Meeks	Timmons
Bowers	Hill	Merrill	Turner
Brassell	Hobbie	Mims	Waldrop
Carnes	Jones (F)	Perloff	Warren
Casey	King	Pruitt	Weeks
Cauthen			

—52

MOTION TO RECONSIDER ADOPTED

The question was then on the motion offered by Mr. Fite, to reconsider the vote by which the bill, H. 390 as amended, was postponed to the thirty-fifth legislative day, and the motion was adopted.

Yeas 51; Nays 46.

Yeas:

Messrs.:	Casey	Jones (F)	St. John
Adams	Cauthen	Kinsey	Slate
Agee	Cottingham	McCluskey	Smith (K)
Bank	Culver	McCorquodale	Snell
Barron	Dill	McMillan	Stewart
Bassett	Doss	McNair	Taylor
Benton	Ellis	Manley	Therrell
Boles	Flippo	Meeks	Turner
Boutwell	Hardin	Mims	Waldrop
Bowers	Harris	Parker	Wallace
Brassell	Hill	Perloff	Warren
Carnes	Hobbie	Pruitt	Weeks
Carter	Hughes	Reed (T)	Williams

—51

Nays:

Mr. Speaker	Drake	King	Porter
Barkett	Hale	Lang	Reid (R)
Burgess	Easters	Lutz	Reynolds
Callahan	Edwards	McBride	Roberts
Chesnut	Erdreich	McDonald	Robertson
Collins	Falkenburg	Mathews	Stokes
Connell	Fite	May	Stubbs
Coshatt	Gafford	Merrill	Waggoner
Crawford	Goodwin	Naramore	Wise
Cross	Grey (D)	Nettles	Wood
Crowe	Headley	Owens	Wynot
Downing	Jackson		

—46

H. 390 RECONSIDERED

And the bill, H. 390 as amended, was again taken up.

Mr. St. John offered the following amendment to the bill, H. 390 as amended:

Amend H. 390 by adding the following:

"However, this bill shall not apply in Cullman, Blount and Marshall Counties."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 46; Nays 41.

Yeas:

Mr. Speaker	Boles	Callahan	Crawford
Agee	Boutwell	Chesnut	Cross
Barkett	Burgess	Connell	Crowe

REGULAR SESSION
14th Day

1247

Downing	Jackson	Parker	Waggoner
Drake	Lang	Porter	Wallace
Easters	McCorquodale	Reid (R)	Warren
Ellis	McDonald	Reynolds	Weeks
Fite	May	Robertson	Williams
Gafford	Mims	St. John	Wise
Goodwin	Naramore	Smith (K)	Wood
Grey (D)	Nettles	Stubbs	Wynot
Headley	Owens		

—46

Nays:

Messrs.:	Cottingham	Hobbie	Meeks
Adams	Culver	Hughes	Perloff
Bank	Dill	Jones (F)	Slate
Barron	Doss	King	Snell
Bassett	Erdreich	Kinsey	Stewart
Benton	Flippo	Lutz	Taylor
Bowers	Grainger	McCluskey	Therrell
Brassell	Hale	McMillan	Timmons
Carnes	Hardin	McNair	Turner
Casey	Harris	Manley	Waldrop
Cauthen	Hill		

—41

H. 390 RECOMMITTED

The motion of Mr. Callahan to recommit the bill, H. 390 as amended, was adopted.

Yeas 52; Nays 42.

Yeas:

Mr. Speaker	Dill	Jackson	Reid (R)
Agee	Downing	McBride	Reynolds
Barkett	Drake	McCluskey	Roberts
Bassett	Easters	McDonald	Robertson
Boles	Edwards	Mathews	St. John
Burgess	Ellis	May	Smith (P)
Callahan	Fite	Meeks	Stokes
Chesnut	Gafford	Naramore	Stubbs
Collins	Goodwin	Nettles	Waggoner
Connell	Grey (D)	O'Daniel	Wallace
Crawford	Hardin	Owens	Weeks
Cross	Headley	Parker	Wise
Crowe	Hughes	Porter	Wood

—52

Nays:

Messrs.:	Culver	Kinsey	Smith (K)
Adams	Doss	Lutz	Snell
Bank	Erdreich	McCorquodale	Stewart
Barron	Flippo	McMillan	Taylor
Benton	Grainger	McNair	Therrell
Boutwell	Hale	Manley	Timmons
Bowers	Harris	Merrill	Turner
Brassell	Hill	Mims	Waldrop
Carnes	Hobbie	Perloff	Warren
Cauthen	Jones (F)	Pruitt	Wynot
Cottingham	King	Slate	

—42

And the bill, H. 390 as amended, was recommitted to the Standing Committee on Judiciary.

BILLS ON THIRD READING RESUMED

And the bill:

H. 94. Relating to motor vehicles; providing for the revocation of the driver's license of any person convicted of repeated violations of the traffic laws and who has been designated an habitual offender under the provisions of this Act; prescribing the procedure for the petition, hearing and appeal in such cases; and prescribing the penalties for driving after license has been suspended or revoked.

Was taken up.

Mr. Collins offered the following amendment to the bill:

In Section 1, strike out subsection (a) and insert the following words and figures:

(a) "Habitual offender" shall be any person, resident or nonresident, whose record, as maintained in the office of the Department of Public Safety shows that such person has accumulated the convictions for three separate and distinct offenses as prescribed herein committed during a 5-year period.

Also, in Section 1, strike out subsection (c), and redesignate subsection (d) as subsection (c).

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Pruitt
Adams	Dill	Jackson	Reid (R)
Agee	Doss	Jones (F)	Reynolds
Bank	Downing	King	Robertson
Barkett	Drake	Lang	St. John
Barron	Easters	Lutz	Slate
Boles	Edwards	McBride	Snell
Boutwell	Ellis	McCluskey	Stewart
Burgess	Erdreich	McDonald	Stokes
Callahan	Falkenburg	Manley	Therrell
Carnes	Fite	Mathews	Timmons
Carter	Flipppo	May	Turner
Chesnut	Gafford	Meeks	Waggoner
Collins	Goodwin	Merrill	Waldrop
Connell	Grainger	Naramore	Wallace
Coshatt	Grey (D)	Nettles	Warren
Cottingham	Hardin	O'Daniel	Weeks
Crawford	Harris	Parker	Williams
Cross	Hill	Porter	Wise
Crowe	Hobbie		

—78

Mr. Cauthen offered the following amendment #1 to the bill, H. 94 as amended:

Amend Section 5 of H. 94 by adding after the words "without a jury" the words "unless the accused shall within thirty days following the service of

REGULAR SESSION
14th Day

1249

said petition upon the accused he shall in writing demand a trial by jury of the issues in the petition made."

And the amendment was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Reid (R)
Adams	Dill	King	Reynolds
Agee	Doss	Kinsey	Roberts
Bank	Downing	Lutz	Robertson
Barkett	Drake	McBride	St. John
Barron	Easters	McCluskey	Slate
Bassett	Edwards	McMillan	Smith (K)
Benton	Ellis	McNair	Stewart
Boles	Erdreich	Manley	Stokes
Boutwell	Falkenburg	Mathews	Taylor
Bowers	Fite	May	Therrell
Burgess	Flippo	Meeks	Timmons
Callahan	Gafford	Merrill	Turner
Carnes	Goodwin	Mims	Waggoner
Carter	Grainger	Naramore	Waldrop
Casey	Grey (D)	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Collins	Harris	Owens	Weeks
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross			

—89

Mr. Cauthen offered the following amendment #2 to the bill, H. 94 as amended:

Amend Section 7 of H. 94 by striking therefrom the words "civil actions" and insert in lieu thereof the following "criminal appeals."

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Grainger	McNair
Bank	Cottingham	Grey (D)	Manley
Barron	Crawford	Hale	Mathews
Bassett	Cross	Hardin	May
Benton	Culver	Harris	Meeks
Boles	Dill	Hill	Merrill
Boutwell	Doss	Hobbie	Mims
Bowers	Downing	Hughes	Naramore
Burgess	Drake	Jackson	Nettles
Callahan	Easters	Jones (F)	O'Daniel
Carnes	Edwards	King	Owens
Carter	Ellis	Kinsey	Porter
Casey	Erdreich	Lutz	Pruitt
Cauthen	Falkenburg	McBride	Reid (R)
Chesnut	Fite	McCorquodale	Reynolds
Collins	Gafford	McDonald	Roberts
Connell	Goodwin	McMillan	Robertson

14th Day

St. John	Taylor	Waldrop	Williams
Slate	Therrell	Wallace	Wise
Smith (K)	Timmons	Warren	Wood
Stewart	Turner	Weeks	Wynot
Stokes	Waggoner		

—86

Mr. Cauthen offered the following amendment #3 to the bill, H. 94 as amended:

Amend Section 1 (a) of H. 94 by striking therefrom the words "the convictions for separate and distinct offenses" and by substituting in lieu thereof the words "three or more convictions for separate and distinct."

And the amendment was adopted.

Yeas 76; Nays 2.

Yeas:

Mr. Speaker	Crawford	Jackson	Reynolds
Agee	Cross	Jones (F)	Roberts
Bank	Culver	King	Robertson
Barkett	Dill	Kinsey	St. John
Barron	Downing	Lutz	Slate
Bassett	Drake	McBride	Smith (K)
Benton	Easters	McDonald	Smith (P)
Boutwell	Edwards	McMillan	Stokes
Bowers	Ellis	Manley	Taylor
Burgess	Falkenburg	May	Therrell
Callahan	Gafford	Meeks	Timmons
Carnes	Goodwin	Merrill	Turner
Carter	Grainger	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Waldrop
Chesnut	Hale	Owens	Wallace
Collins	Hardin	Porter	Warren
Connell	Harris	Pruitt	Weeks
Coshatt	Hill	Reed (T)	Wise
Cottingham	Hughes	Reid (R)	Wynot

—76

Nays: Messrs. Fite and Williams.

—2

MOTION TO ADJOURN LOST

The motion of Mr. Perloff that the House adjourn until 11:00 o'clock a.m., Thursday, June 28, 1973, was lost.

Yeas 41; Nays 47.

Yeas:

Messrs.:	Chesnut	Fite	Perloff
Agee	Connell	Goodwin	Reed (T)
Barkett	Coshatt	Grey (D)	Reynolds
Bassett	Cottingham	Kinsey	Slate
Benton	Crawford	Lang	Smith (K)
Boles	Crowe	McDonald	Stewart
Brassell	Culver	Manley	Therrell
Burgess	Downing	Mathews	Weeks
Carter	Drake	Merrill	Williams
Casey	Easters	Naramore	Wood
Cauthen	Edwards		

—41

REGULAR SESSION
14th Day

1251

Nays:

Messrs.:	Falkenburg	McBride	St. John
Adams	Flippo	McCluskey	Smith (P)
Adwell	Grainger	McMillan	Stokes
Barron	Hale	McNair	Stubbs
Boutwell	Hardin	May	Taylor
Bowers	Hill	Meeks	Timmons
Callahan	Hobbie	Nettles	Turner
Carnes	Hughes	Owens	Waggoner
Collins	Jackson	Parker	Waldrop
Doss	Jones (F)	Reid (R)	Warren
Ellis	King	Roberts	Wise
Erdreich	Lutz	Robertson	Wynot

—47

RESOLUTIONS

The following resolutions were introduced:

By Mr. Jones (F):

H. J. R. 121. CREATING AN INTERIM COMMITTEE TO STUDY THE SALARIES OF ALL STATE ELECTED OFFICIALS AND CABINET MEMBERS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

1) There shall be an Interim Committee, to meet during the interim between the present legislative session and the next regular session, to study all facets of pay of elected officials and cabinet members of the State of Alabama. A comparison of salaries of like positions in other states and in industry shall be made, with recommendations for change coming from this committee. Said findings and recommendations shall be presented to the legislative body by the tenth (10th) legislative day of the next regular session. The initial meeting of the committee shall be within 15 days following the end of the 1973 Regular Session.

2) The committee shall be composed of 3 members of the House appointed by the Speaker, 2 members of the Senate appointed by the President of the Senate, and the State Personnel Director. Following appointment, these members shall select from any branch of industry within the state a person qualified and experienced in personnel work. The members of the committee shall then select a chairman.

3) All members of this committee shall receive their actual expenses, and the legislative members of said committee shall receive their regular legislative per diem for each day while in attendance of committee meetings. Staff members for the committee shall be provided by the Clerk of the House. There shall be appropriated for the use of the committee \$5,000 from funds appropriated to the use of the Legislature.

The resolution, H. J. R. 121, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Taylor, Flippo, Jones (F), Hobbie, Harris, Barron, Jackson, Wise, McCorquodale, Warren, Cauthen, Lutz, Casey, Wallace, Goodwin, Parker, Reynolds, Reid (R), Grey (D), Therrell and Roberts:

H. J. R. 122. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 335, H. 281, Third Extraordinary Session 1971, Approved February 10, 1972, be named the Hill Youthful Offender Act.

The resolution, H. J. R. 122, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Carter:

H. J. R. 123. COMMENDING THE U. S. SUPREME COURT.

WHEREAS, the U. S. Supreme Court has finally seen fit to give local authorities the power to clean up pornography; and

WHEREAS, the great majority of the people of Alabama have not favored the Court's pornography rulings of the last decade; and

WHEREAS, there are establishments in Alabama that continue to deal in pornography; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the U. S. Supreme Court is commended on its recent pornography ruling.

BE IT FURTHER RESOLVED, That state and local law enforcement officials are encouraged to use the power granted them to clean up pornography.

BE IT FURTHER RESOLVED, That an enrolled copy of this resolution be sent to the justices of the U. S. Supreme Court.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 123, on the Clerk's desk for one legislative day.

Also:

By Mr. Reed (T):

H. R. 124. COMMENDING THE CUSTODIAL HELP OF THE HOUSE OF REPRESENTATIVES FOR A JOB WELL DONE.

WHEREAS, The custodial help of the House of Representatives has done a commendable job of keeping the House Chamber and related area clean, preparing coffee, and the other countless number of duties entrusted to them; and

WHEREAS, On many instances the custodial help have worked long hours and rendered service beyond the usual call of duty to meet the needs of the House of Representatives; and

REGULAR SESSION
14th & 15th Days

1253

WHEREAS, the custodial help, working behind the scenes and out of the limelight, are recognized as an important wheel in the machinery of the House of Representatives; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That this body does greatly appreciate the services of the custodial staff and does heartily commend and salute the custodial help for a job well done.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. R. 124, on the Clerk's desk for one legislative day.

ADJOURNMENT

On motion of Mr. Stokes, the House adjourned until 10:00 o'clock a.m., Thursday, June 26, 1973.

Yeas 47; Nays 36.

Yeas:

Messrs.:	Cross	Kinsey	Reynolds
Agee	Crowe	Lang	Roberts
Bank	Culver	McCorquodale	Robertson
Barkett	Downing	McDonald	St. John
Bassett	Drake	Manley	Slate
Benton	Easters	Mathews	Smith (K)
Boles	Edwards	Naramore	Stokes
Brassell	Falkenburg	Parker	Stubbs
Carter	Fite	Perloff	Therrell
Chesnut	Goodwin	Porter	Weeks
Coshatt	Grey (D)	Pruitt	Williams
Cottingham	Hearn	Reed (T)	Wood

—47

Nays:

Mr. Speaker	Doss	Hughes	Meeks
Adams	Ellis	Jackson	Nettles
Adwell	Erdreich	Jones (F)	Owens
Barron	Grainger	King	Reid (R)
Boutwell	Hale	Lutz	Taylor
Burgess	Hardin	McBride	Turner
Callahan	Harris	McCluskey	Waggoner
Carnes	Hill	McNair	Waldrop
Collins	Hobbie	May	Wynot

—36

FIFTEENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, June 27, 1973

The House did not meet today.

SIXTEENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, June 28, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Representative Chriss Doss, former Minister, First Baptist Church, Birmingham, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Crowe	King	Reid (R)
Adams	Culver	Kinsey	Reynolds
Adwell	Dill	Lang	Roberts
Agee	Doss	Lutz	Robertson
Bank	Downing	McBride	St. John
Barkett	Drake	McCluskey	Slate
Barron	Easters	McCorquodale	Smith (K)
Bassett	Edwards	McDonald	Smith (P)
Benton	Ellis	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Grey (D)	Mims	Turnham
Carter	Hale	Naramore	Waggoner
Casey	Hardin	Nettles	Waldrop
Cauthen	Harris	O'Daniel	Wallace
Chesnut	Headley	Owens	Warren
Collins	Hearn	Parker	Weeks
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Pruitt	Wood
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—102

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourteenth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the fourteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourteenth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifteenth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the fifteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifteenth legislative day was approved.

LEAVES OF ABSENCE

At the request of Mr. Adams, leave of absence was granted Mr. Snell for personal reasons.

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E) due to illness.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution, to-wit:

H. J. R. 116. Relative to adjournment of the two Houses.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 116, said Senate amendment being as follows:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, the House adjourns to meet again on Thursday, June 28, 1973, and when the House adjourns on Thursday, June 28, 1973, they adjourn to meet again on Tuesday, July 10, 1973; and when the Senate adjourns today, they adjourn to meet again on Wednesday, June 27, 1973, and when the Senate adjourns on Wednesday, June 27, 1973, they adjourn to meet again on Tuesday, July 10, 1973.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 100. To amend Code of Alabama 1940, Title 48, Section 79, which regulates appeals from final actions and orders of the Alabama Public Service Commission, relative to the time of hearing such appeals.

H. 1190. To allow clerks to destroy exhibits six years after conclusion of cases.

H. 950. To provide for the incarceration in another state of any law enforcement officer within the state of Alabama who is sentenced to prison in Alabama.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 961. (With Amendment): Relating to the Twenty-sixth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1193. Relating to the suspension of drivers' licenses; amending Section 68 of Title 36 so as to stay certain suspension orders pending a hearing upon request of the licensee.

Mr. Pruitt, Chairman of the Standing Committee on Banking, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 416. Relating to banks and branches: To permit a bank maintaining an office for the transaction of banking business within any county of this state to establish additional offices or branches at any place within such county with the consent and approval of the Superintendent of Banks and to repeal all laws or parts of laws in conflict with this Act.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1164. To amend Act No. 2309, Acts of Alabama, 1971 Regular Session, p. 3731, pertaining to hunting deer from public waters in this state, or at night, so as to provide for the confiscation and forfeiture of all equipment used in committing said offenses.

H. 1163. To amend Act No. 1980, Acts of Alabama, 1971 Regular Session, p. 3222, pertaining to annual resident fishing licenses so as to remove the sentence referring to borrowing, lending or altering said licenses.

H. 1161. To amend Title 8, Section 91, Code of Alabama 1940, as amended, pertaining to licenses required to capture and kill fur-bearing animals, so as to eliminate the exemption from the license-purchase requirements previously granted anyone trapping beaver only; to reduce the residency period from six months to ninety days; and to provide an exemption where beavers are a nuisance.

H. 1130. To amend Section 87 of Title 8, Code of Alabama 1940, as amended, pertaining to the penalty for hunting during closed seasons.

H. 1129. To make unlawful the use of an artificial light to spot or locate wildlife while having in possession any device with which wildlife could be killed except as provided by regulations of the Commissioner of the Department of Conservation and Natural Resources; to provide the penalty.

H. 1126. Proposing an amendment to the Constitution of Alabama which would authorize the enactment of general and local laws with criminal penalties for the conservation and protection of the fish, wildlife, seafoods and agriculture of this state and further, authorizing the delegation to appropriate state agencies the power to promulgate rules and regulations pertaining thereto.

The above bill was read a second time at length as required by the Constitution.

H. 829. To amend Section 29 of Title 8, Code of Alabama 1940, as amended, so as to authorize the Commissioner of Conservation and Natural Resources to designate persons residing at the county seat to issue hunting and fishing licenses so long as the probate judge or license commissioner does not object to his doing so.

Mr. McCluskey, Vice-Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 503. (With Amendment): To amend Sections 1, 6, & 9 of Act No. 217, Senate 23, page 259, Volume 1, Acts of Alabama 1967, enacted at the 1967 Special Session of the Legislature of Alabama, as amended, relating to competitive bidding and the expenditure of public funds.

Mr. McCluskey, Vice-Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 504. To further amend Act No. 493, House 765, page 952, Volume 2, Acts of Alabama 1969, enacted at the 1969 Regular Session of the Legislature of Alabama, and as said act was amended by Act No. 2338, Senate 1071, page 3771, Volume 5, Acts of Alabama 1971, enacted at the 1971 Regular Session of the Legislature of Alabama, so as to provide for the repair or lease of heavy duty off-highway construction equipment, including machinery used for grading, drainage, road construction and compaction for exclusive use of county and municipal, highway, street and sanitation departments by the county boards of revenue, or other similar county governing

bodies, the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, relative to exemption from competitive bidding in the expenditure of public funds, by amending the aforesaid acts by striking the sum of one thousand five hundred dollars (\$1500.00) and inserting, in lieu thereof, the sum of two thousand five hundred dollars (\$2500.00).

H. 243. To create a State Board of Auctioneers which shall administer and enforce the licensing of auctioneers in this state; to provide that licensees keep certain records; to assess fees; and to provide penalties for violations of this act.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1197. Relating to Calhoun County; to provide further for the salary of certain officials of said county.

H. 1183. Relating to all counties having populations of not less than 14,000 nor more than 15,000 inhabitants, according to the most recent federal decennial census; amending Section 1 of Act No. 706, H. 989, Regular Session 1967, (Acts 1967, p. 1537), as amended, which section regulates the compensation of the county superintendent of education in said counties, so as to further regulate the compensation of said superintendent of education.

H. 1167. To apply only in counties in the state having a population of not less than 65,500 nor more than 75,200 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

H. 1144. Relating to all counties having populations of not less than 16,245 nor more than 16,300 inhabitants, according to the most recent federal decennial census; providing that any person may use on any boat any motor up to six (6) horsepower on any state-owned lake within said counties.

H. 1209. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Athens, in Limestone County, Alabama, so as to annex certain territory to the City of Athens, in Limestone County, Alabama.

H. 1210. Relating to counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census; to amend Section 5 of Act No. 242, H. 310, Third Special Session 1971, (Acts 1971, p. 4511) forbidding the judge of probate from remitting certain funds to the State Highway Department, so as to provide for the removal of the expiration date of said act.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the follow-

ing bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 228. Relating to Madison County; authorizing the county governing body to set the county supplement for the circuit court reporters, provided, said supplement is not less than a certain minimum amount.

H. 1244. To amend the Title and Sections 7, 11, 14 and 22 of Act No. 780 adopted at the 1961 Regular Session of the Legislature of Alabama, as amended, governing airport authorities incorporated in counties having a population of not less than 110,000 nor more than 165,000 according to the last or any subsequent federal decennial census, which sections pertain, respectively, to powers of such authorities, bonds of such authorities, use of proceeds from the sale thereof and other matters so as to clarify and grant powers regarding the issuance of bonds and notes and regarding industrial development and other business projects undertaken by such authorities and to provide that any such authority now or hereafter incorporated shall have all rights, powers and privileges granted in said act, as amended, regardless of subsequent changes in the population of the county in which such authority was incorporated.

RESOLUTIONS

The following resolutions introduced on the fourteenth legislative day were read by title, pursuant to Joint Rule 12:

H. J. R. 123. COMMENDING THE U. S. SUPREME COURT.

H. R. 124. COMMENDING THE CUSTODIAL HELP OF THE HOUSE OF REPRESENTATIVES FOR A JOB WELL DONE.

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 99. Expressing opposition to increasing gasoline tax from 4¢ to 10¢ per gallon.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 115. RELATIVE TO ADJOURNMENT OF THE TWO HOUSES UNTIL TUESDAY, JUNE 26, 1973.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 91. NAMING STATE HIGHWAY 59 IN BALDWIN COUNTY "GULF SHORES PARKWAY".

Also:

H. J. R. 100. NAMING HIGHWAY 49 FROM I-85 NORTH TO DADEVILLE THE "STILLWATER HIGHWAY".

Also:

H. J. R. 106. THANKING ALABAMA CATTLEMEN'S ASSOCIATION AND THE ALABAMA COWBELLES FOR THE COOKBOOKS TO MEMBERS OF THE LEGISLATURE.

Also:

H. J. R. 107. COMMENDING RAY FIELDS.

Also:

H. J. R. 108. MOURNING THE DEATH OF ROBERT RAYMOND WRIGHT, JR.

Also:

H. J. R. 109. NAMING THAT SECTION OF U. S. HIGHWAY 431 PASSING THROUGH THE CITY OF ALBERTVILLE AS "HOOPER DRIVE."

Also:

H. J. R. 110. CONGRATULATING AND COMMENDING MISS JANE RICE FOR BEING NAMED MISS ALABAMA.

Also:

H. J. R. 113. COMMENDING HANK AARON FOR HIS BRILLIANT BASEBALL CAREER AND ENCOURAGING HIM TO SET A NEW HOME RUN RECORD.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Pelham, Noonan and Edington:

S. J. R. 57. Commending Hank Aaron for his brilliant baseball career and encouraging him to set a new home run record.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 57, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Fine:

S. J. R. 5. TO ESTABLISH A STATE ALCOHOL AND DRUG ABUSE COORDINATING COMMISSION TO SERVE AS A CLEARING-HOUSE FOR ALL ALCOHOL AND DRUG ABUSE PROPOSALS.

WHEREAS the abuse of drugs and alcohol is one of the most serious problems facing the citizens of this country today; and

WHEREAS the Legislature of the State of Alabama wishes to establish a commission which will serve as a clearinghouse for all alcohol and drug abuse proposals, grants and programs, so as to avoid much duplication of programs, efforts and resources; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created the State Alcohol and Drug Abuse Coordinating Commission which will be composed of one member appointed by the Governor, to serve at his pleasure, from each of the following departments or boards: the State Department of Education, State Health Department, State Board of Pharmacy, State Toxicology Department, State Mental Health Department, Department of Public Safety, Attorney General's Office, Department of Pensions and Security, State Department of Vocational Rehabilitation, Drug Abuse Advisory Board under the Intergovernmental Cooperation Commission, Governor's Commission on Drug Abuse, and the State Pardon and Parole Board.

The Commission shall work closely with the State Department of Mental Health so as to consolidate all alcohol and drug abuse programs at the state and local levels and shall make recommendation to the Governor at any time on needed executive action and shall report to each regular session of the Legislature.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 5, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Clark:

S. J. R. 63. REQUESTING THAT THE ALABAMA DELEGATION TO THE UNITED STATES CONGRESS USE ITS POWER AND INFLUENCE TO PROCURE THE ENACTMENT OF A 1973 FEDERAL AID HIGHWAY ACT.

WHEREAS the United States Congress has not enacted a Federal Aid Highway Act since December of 1970; and

WHEREAS the United States Congress considered, but failed to act on, a Federal Aid Highway Bill in its 1972 Session; and

WHEREAS significant sums of money have been accumulated in the United States Highway Trust Fund since the 1970 Federal Aid Highway Act; and

WHEREAS most of the money in the United States Highway Trust Fund has not been appropriated by Congress; and

WHEREAS under existing Federal Aid Highway Acts, further Federal Aid Highway Funds will not be available to the Alabama Highway System after the letting of contracts on June 29, 1973; and

WHEREAS the continued availability of Federal Aid Highway Funds is essential if major highway construction programs are to continue within the State of Alabama; and

WHEREAS the failure to continue major highway construction programs within the State of Alabama would result in economic stagnation in many areas served by inadequate highways; and

WHEREAS the failure to continue major highway construction programs within the State of Alabama would force motorists to face heavy risks of life and limb on numerous inadequate and unsafe highways; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES CONCURRING, That each and every member of the Alabama Delegation to the United States Congress is encouraged to use his voting power and influence over other members of the United States Congress to procure the enactment of a 1973 Federal Aid Highway Act which would appropriate sums from the United States Highway Trust Fund to the Federal Aid Highway Program.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to each United States Senator and Representative of the State of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the House concurred in and adopted the resolution, S. J. R. 63, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Lybrand, McLain, Pierce, Wilder, Branyon, Harris, Register, Cook, Melton, Baker, Carr, Littleton, Foshee, Pelham, Owen, Jones, Fine, Noonan, Wilson, Dozier, Weaver, Vacca, Gilmore, Lindsey, Clark, Shelby, Bailes and Givhan:

S. J. R. 60. WHEREAS, Jacksonville State University continues to experience unusual and outstanding success and growth in its accomplishments of providing the highest quality of higher education through the third largest on-campus facility in Alabama;

WHEREAS, the needs of its students are uppermost in the minds of the leadership and is being enhanced through expansion of facilities to supply appropriate health and physical education;

WHEREAS, the Honorable Charles (Pete) Mathews, prominent attorney and legislator, has so ably served the people of his state and area by using his varied abilities and talents, and has championed the worthy cause of all phases of education;

WHEREAS, Mr. Mathews is herewith highly regarded and recognized for his many accomplishments and contributions including those in behalf of his beloved alma mater, Jacksonville State University, which has developed and grown to its present prestigious status as a result of these efforts;

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Health and Physical Education Building at Jacksonville State University be named and known as the Pete Mathews Coliseum in grateful appreciation of the many accomplishments of Mr. Mathews;

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Mr. Mathews, President Ernest Stone and the Board of Trustees of Jacksonville State University.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 60, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Messrs. Pierce and Jones:

S. J. R. 53. COMMENDING THE ALABAMA YMCA YOUTH LEGISLATURE ON ITS 25th ANNIVERSARY.

Also:

By Messrs. Givhan and McLain:

S. J. R. 54. MOURNING THE DEATH OF JUDGE WILLIAM B. NOLEN OF ASHLAND.

Also:

By Messrs. McLain and Lybrand:

S. J. R. 56. CONGRATULATING AND COMMENDING MISS MARTHA JANE RICE FOR BEING NAMED MISS ALABAMA.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolutions, S. J. R. 53, S. J. R. 54 and S. J. R. 56, set out in the above and foregoing Message from the Senate were read and referred to the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Turnham:

H. J. R. 125. WHEREAS, Edwin Virginius Smith, Dean and Director, Auburn University School of Agriculture and Agricultural Experiment Station, retired September 1, 1972, after 41 years of service to Auburn University and was appointed Dean and Director Emeritus, and

WHEREAS, his retirement terminated a career wherein he provided leadership in agricultural research and teaching, said leadership being of such quality to inspire those with whom he was associated to give their full measure and ability, and

WHEREAS, Doctor Smith, as a teacher, made lasting impressions on Auburn students not only by the presentation of subject matter in the classroom but by his personal interest in his students and their problems while in college and his pride in their accomplishments after leaving college, and as a researcher and administrator as well as a teacher has made significant contributions to agriculture in Alabama and the Nation, and as a citizen served well his community, State, and Nation, and

WHEREAS, he served the National Association of State Universities and Land Grant Colleges in many capacities including Chairman, the Experiment Station Section; Vice-chairman, Committee on Organization and Policy; Chairman, Federal-States Subcommittee; Chairman, Legislative Subcommittee; and Chairman, Southern Experiment Station Director, and as Administrative Advisor of important regional committees, and

WHEREAS, Doctor Smith was named 1958 Man of the Year in Agriculture by The Progressive Farmer magazine, was the recipient of the 1968 "Service to Agriculture" award made by the Alabama Farm Bureau Federation, and served as President of the Association of Southern Agricultural Workers in 1969, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that we assure Doctor Smith that we are deeply appreciative of his outstanding services and are particularly grateful for his long and untiring dedication to Auburn University and the State of Alabama, and we extend to him and Mrs. Smith our most cordial wishes for many years of enjoyment in their retirement.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent by the Clerk of the House to Doctor Smith.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 125, on the Clerk's desk for one legislative day.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Stewart, Smith (P), Merrill, McCluskey, Mathews, Casey, Burgess and Dill:

H. 1274. Prohibiting the charge of an admission fee for entrance to the grounds of Cheaha State Park.

Local Government.

By Messrs. Hardin and Bassett:

H. 1275. Relating to all counties having a population of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

Local Legislation No. 1.

By Messrs. Flippo, Lyons, Grainger and Barron:

H. 1276. To provide for the nonrecognition of gain or loss, for purposes of income taxation, on specified types of corporate reorganization and exchanges of property, to provide for determination of the basis of property received in such exchanges, to provide for the nonrecognition of gain upon liquidation of certain subsidiaries, upon certain other corporate liquidations, and upon sales or exchanges of assets followed by liquidation, to provide for carryovers in certain corporate acquisitions, and to amend Sections 378 and 380 of Title 51 of the Code of Alabama of 1940 in order to eliminate provisions inconsistent with this act.

Commerce and Transportation.

By Messrs. Barron, Flippo, Lyons and Grainger:

H. 1277. To provide for the nonrecognition of gain or loss on specified types of corporate reorganizations and exchanges of property for purposes of determining gross income of financial institutions subject to the excise tax on financial institutions, to provide for determination of the basis of property received in such reorganizations and exchanges, to provide for the nonrecognition of gain upon liquidation of certain subsidiaries, upon certain other corporate liquidations, and upon sales or exchanges of assets followed by liquidation, to provide for carryovers in certain corporate acquisitions, and to amend Section 425 of Title 51 of the Code of Alabama of 1940 in order to

define the term "gross income" and to exclude therefrom stock dividends and, in the case of financial institutions which are corporations, dividends from fifty per cent owned subsidiary corporations.

Commerce and Transportation.

By Mr. St. John:

H. 1278. This is a bill increasing the salary of supernumerary court reporters as last amended by Act No. 753, S. 478, Acts of Alabama, 1967 (Vol. II, p. 1607) and to provide that when called to active court service that they be paid the same salary and in like manner as official court reporters by further amending Section 3, Act No. 817, H. 298, Regular Session 1961 providing supernumerary circuit court reporters for the State of Alabama; prescribing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and making an appropriation to pay their salaries.

Ways and Means.

By Messrs. Boles, Hughes and Weeks:

H. 1279. To amend further Code of Alabama 1940, Title 37, Section 10, which relates to the incorporation of unincorporated communities, so as to delete the special limitation of such incorporations in counties having populations of not less than 600,000.

Local Legislation No. 2.

By Mr. St. John:

H. 1280. To amend Title 13, Section 262 and Section 263, Code of Alabama, 1940, as recompiled 1958, by deleting therefrom that portion relating to transcript fees of court reporters.

Judiciary.

By Messrs. King, Grainger, McBride, Hearn, Falkenburg, Doss and Lutz:

H. 1281. To establish in the Alabama State Board of Health a program for the care of persons suffering from chronic renal diseases, designating powers and duties in relation thereto, and making an appropriation therefor.

Ways and Means.

By Messrs. McMillan, Timmons, McNair, Gafford, Erdreich, Falkenburg, Dill, Wallace, Ellis, Hughes, Naramore, Cauthen, Adwell, Hill, Boles, Taylor, Doss, Boutwell, Waggoner, Bank and Culver:

H. 1282. Providing convicted criminals credit for time spent in a city or county jail awaiting trial or sentencing for a crime of which he is convicted.

Public Welfare.

By Mr. McCluskey:

H. 1283. To amend Section 8 of Act No. 42 enacted at the 1971 Regular Session of the Legislature, and approved June 29, 1971, relating to Ala-

REGULAR SESSION
16th Day

1267

bama Pollution Control Finance Authority, so as to increase the amount of bonds authorized to be issued by the Authority from \$25,000,000 to \$50,000,000 and to extend the maximum period of repayment of Authority bonds.

Local Government.

By Messrs. Barron and Jones (F):

H. 1284. To provide for the uniform minimum compensation for all deputy sheriffs in every county in the State of Alabama.

Local Government.

By Messrs. Williams, Lyons and Porter:

H. 1285. To provide an Amendment to the Constitution of Alabama authorizing and providing for the repeal and annulling of Section 74 of the Constitution of Alabama of 1901, as amended.

Banking.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Williams, Lyons and Porter:

H. 1286. Setting forth standards of care for fiduciaries (as defined) in the acquisition, investment, disposition, and management of the property of others; authorizing, generally, the acquisition and retention of all kinds of property and listing specific types of investment authorized; charging the fiduciary with the exercise of discretion in the holding and disposition of property; prohibiting the fiduciary from ignoring or departing from the express terms of instruments under which they are acting; defining the terms "legal investment" and "authorized investment" under this Act; allowing courts of proper jurisdiction the right to permit deviations from terms of instruments relating to the acquisition, investment, reinvestment, exchange, retention, sale or management of fiduciary property; and providing that present and future fiduciaries shall be governed by the terms of the Act.

Banking.

By Messrs. Williams, Lyons and Porter:

H. 1287. To amend Section 222, Title 52, The Code of Alabama of 1940, as recompiled in 1958, which section relates to place and method of payment of warrants, by eliminating therefrom the schedule of maximum fees to be paid a paying agent for the services performed in acting as paying agent of a board of education and as reimbursement for expenses incurred in remitting payments of warrants and/or coupons therefrom and substituting therefor a provision that a board of education shall pay such reasonable fees for such services, and as such reimbursement as may be negotiated and agreed upon by the board of education and its paying agent.

Banking.

By Messrs. Williams, Lyons and Porter:

H. 1288. To amend Section 8-102 of Act No. 549, S. 2. Regular Session 1965, (an Act known as the Uniform Commercial Code) so as to

change the definition of "clearing corporation" contained in said Section 8-102.

Banking.

By Messrs. Williams, Lyons and Porter:

H. 1289. Authorizing fiduciaries holding securities as executor, administrator, guardian, conservator, trustee, agent, custodian, or in any other fiduciary relationship to deposit, or arrange for the deposit of, such securities in a clearing corporation and, when such securities are so deposited, certificates and other instruments representing securities of the same class of the same issuer may be merged and held in bulk in the name of the nominee of such clearing corporation with any other such securities deposited in such clearing corporation by any person regardless of the ownership of such securities, and certificates or other instruments of smaller denomination may be merged into one or more certificates or other instruments of larger denomination; providing that ownership of, and other interest in, such securities may be transferred by entries on the books of the clearing corporation without physical delivery of certificates or other instruments representing such securities; and prescribing the conditions upon which securities may be so deposited.

Banking.

By Messrs. Williams, Lyons and Porter:

H. 1290. Authorizing banks and trust companies holding securities as executor, administrator, guardian, conservator, trustee, agent, custodian, or in any other fiduciary relationship to hold same in a manner such that, without certification of ownership attached, certificates and other instruments representing securities of the same class of the same issuer constituting assets of different accounts are held in bulk, including the merging of certificates or other instruments of smaller denominations into one or more certificates or other instruments of larger denominations; requiring and authorizing the consent of its co-fiduciary where the bank or trust company holds such securities as a co-fiduciary; authorizing securities so held to be registered in the name of a nominee; and prescribing the conditions upon which securities may be so held.

Banking.

By Messrs. Williams, Lyons and Porter:

H. 1291. Authorizing banks and trust companies holding treasury securities as executor, administrator, guardian, conservator, trustee, agent, custodian, or in any other fiduciary relationship to deposit, or arrange for the deposit, with the federal reserve bank in its district of such treasury securities to be credited to one or more accounts on the books of said federal reserve bank in the name of such bank to be designated trust or other accounts in accordance with rules and regulations of the federal reserve bank, to which similar treasury securities deposited by the bank for other fiduciary accounts may be credited; providing that ownership of, or interest in, such treasury securities may be transferred by entries on the books of said federal reserve bank without physical delivery thereof; requiring and authorizing the consent of its co-fiduciary where the bank or trust company holds such securities as a co-fiduciary; and prescribing the conditions upon which treasury securities may be so deposited.

Banking.

REGULAR SESSION
16th Day

1269

By Mr. May:

H. 1292. Relating to all counties with a population of not less than 34,875 nor more than 36,000 according to the most recent federal decennial census, providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations and in certain cases of game, fish and conservation law violations.

Local Legislation No. 1.

By Mr. May (with notice and proof):

H. 1293. To Alter or rearrange the boundary lines of the Town of Flomaton, Escambia County, Alabama, so as to include within the corporate limits of said Flomaton, Alabama all territory now within such corporate limits and also certain other territory contiguous thereto, in Escambia County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1293:

LEGAL NOTICE

STATE OF ALABAMA
ESCAMBIA COUNTY

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

To Alter or rearrange the boundary lines of the Town of Flomaton, Escambia County, Alabama, so as to include within the corporate limits of said Flomaton, Alabama all territory now within such corporate limits and also certain other territory contiguous thereto, in Escambia County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Flomaton, Escambia County, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Flomaton, Alabama and in addition thereto the following described territory, to-wit:

Beginning at the Southeastern Corner of Section Thirty-two (32), Township One (1) North, Range Eight (8) East, being on the Alabama, Florida State Line, thence North to the Northeast Corner of the Southeast Quarter (NE Cor. of SE $\frac{1}{4}$) of Section Thirty-two (32), thence West to the Center of Section Thirty-two (32), thence North to the Northwest Corner of the Northeast Quarter (NW Cor of NE $\frac{1}{4}$) of Section Thirty-two (32), thence East to the Southwest Corner of the Southeast Quarter of the Southeast Quarter (SW Cor of SE $\frac{1}{4}$) of SW $\frac{1}{4}$) of Section Twenty-eight (28), thence North 3,000 feet, thence East to the East Boundary of Section Twen-

ty-eight (28) thence North to the Northwest corner of the Southwest Quarter (NW Cor. of SW 1/4) of Section Twenty-two (22), thence East to the Northeast Corner of the Southeast Quarter (NE Cor. of SE 1/4) of Section Twenty-Two (22), thence South to the Northwest Corner of the Southwest Quarter of the Northwest Quarter (NW Cor. of SW 1/4 of NW 1/4) of Section Twenty-six (26), thence East to L&N Railroad, thence in a Southerly direction along L&N Railroad to the South Boundary of Section Twenty-six (26), thence East to the Northeast Corner of Section Thirty-five (35), thence South to the Southeast Corner of the Northeast Quarter (SE Cor. of NE 1/4) of Section Thirty-five (35), thence West to the Northeast Corner of the Northwest Quarter of the Southwest Quarter (NE Cor. of NW 1/4 of SW 1/4) of Section Thirty-five (35), thence South to the Alabama, Florida State Line, thence West 2.25 miles, more or less along the Alabama and Florida State line to the Point of Beginning.

Also:

The East Half of the Southeast Quarter of the Northwest Quarter (E 1/2 of SE 1/4 of NW 1/4) of Section Twenty-two (22), Township One (1) North, Range Eight (8) East.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James G. Thornton, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tri-City Ledger, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1973.

JAMES G. THORNTON, JR.

Sworn to and subscribed before me June 25, 1973.

A. H. COLEMAN,
Notary Public.
Comm. Exp. 8-22-74.

By Mr. Reed (T):

H. 1294. To prohibit beating or flogging of convicts by prison officials, employees or other prisoners; to prohibit solitary confinement of prisoners; to prohibit all discrimination in clothing, feeding and housing of prisoners; and to establish a penalty for the violation of the provisions of this act.

Public Welfare.

By Messrs. Gafford, Doss, Waggoner, Timmons, Carnes, Meeks, Downing, Slate, Cauthen, Williams, Naramore, Ellis, Dill, Wood, Stokes, Bowers, Roberts, Jones (F), May, Harris, Barron, Collins, Culver, Robertson,

REGULAR SESSION
16th Day

1271

Waldrop, Wynot, Bank, Adwell, O'Daniel, Therrell, Merrill, Headley, Boles, Hughes, McBride, Stubbs, Stewart, Grey (D), Goodwin, Reynolds, Benton, Agee, Hearn, Perloff, Brassell and Casey:

H. 1295. To amend Section 38, Title 17, Code of Alabama 1940, which relate to lists of qualified electors, by providing that such lists, when delivered to the inspectors at each voting box or voting place shall contain only the names of such persons entitled to vote at each such box or voting place, and providing notice be given the electors of their voting location.

Judiciary.

By Messrs. Therrell, Callahan, Adwell, Wallace and Wood:

H. 1296. Authorizing marriages to be solemnized by certain persons in addition to those persons now authorized by law.

Judiciary.

By Mr. Smith (P):

H. 1297. To exempt certain persons from jury duty during any regular or special session of the legislature.

Judiciary.

By Messrs. Mims, Cottingham, Turner, Doss, Carter, Cauthen, McCorquodale and Warren:

H. 1298. To amend Section 6, Act No. 160, Third Special Session 1971, approved January 19, 1972, providing for the manner and method by which statewide property reappraisal shall be carried out and employment of appraisal firms as consultants.

Ways and Means.

By Messrs. Culver, Bank, Dill, Timmons, Downing and Adwell:

H. 1299. To provide for city elections on the question of legal sales and distribution of alcoholic beverages in dry counties.

Judiciary.

By Messrs. Robertson and Bank:

H. 1300. To amend Section 4 of Act No. 1292, H. 1795, Regular Session, (Acts 1971, p. 2220) providing for the office of commissioner and deputy commissioner of licenses in counties having a population of not less than one hundred fifteen thousand and not more than one hundred fifty thousand according to the last or any subsequent decennial federal census, so as to provide for the establishment of the deputy commissioner's salary, require such commissioner to be bonded, and take an oath of office.

Local Legislation No. 1.

By Messrs. Doss, Boutwell and Adwell:

H. 1301. Further amending Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, as Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

Ways and Means.

By Messrs. Doss, Drake, Boutwell, Adwell, Burgess, Downing, Lyons, Weeks, McBride, Falkenburg and Bank:

H. 1302. To provide that any person, hospital or other health care institution shall not be required to perform or participate in any abortion if they oppose it on moral, ethical or religious grounds, and to prohibit any cause of action or disciplinary action against them because of such refusal.

Health.

By Mr. Crowe (With Notice and Proof):

H. 1303. Relating to Walker County; to provide further for the distribution of fines and forfeitures in certain cases.

Local Legislation No. 1.

Notice and Proof H. 1303:

NOTICE

STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Walker County; to provide further for the distribution of fines and forfeitures in certain cases.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereinafter paid by persons convicted in courts of competent jurisdiction in Walker County of violation of the rules of the road, or the laws of this state relating to or regulating traffic or the operation of motor vehicles upon the highways of this state, shall be paid into the general fund of Walker County; and the remainder shall credit the same to the proper fund in the state treasury.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost

to the State of Alabama, said notice having appeared in the issues of said paper on May 15, 22, 29, and June 5, all in the year 1973.

H. S. PRINCE, JR.

Sworn to and subscribed before me June 14, 1973.

R. W. BOTELER, JR.,
Notary Public.

By Messrs. Robertson, Burgess, Lyons, Wynot, Culver, Cottingham, Bank, McBride, Crowe, Hearn, Williams, Gafford, Boutwell, Bowers, Therrell, Adwell, Grainger, Lang, Coshatt, Casey, O'Daniel, Crawford, Easters, Pruitt, Manley, Carter, Cross, Reynolds, Porter, Chesnut, Connell, Goodwin, Cauthen, Weeks, Hale, Turnham, St. John, McCorquodale, Wise, Wallace, Merrill, Adams, Waggoner, Callahan, Mims, Nettles, Downing, Hardin, Barkett, Bassett, Stokes, Dill, Timmons, Naramore, Boles, Hughes, Meeks, Headley, Stubbs and Mathews:

H. 1304. To amend Code of Alabama 1940, Title 14, Sections 314 and 318 so as to redefine murder in the first degree, to eliminate the provision thereof giving the jury authority in its discretion to sentence the defendant in a murder case to death, to provide further for mandatory death sentence in certain murder cases, and to provide for and regulate automatic review by the board of pardons and paroles of all murder cases in which the defendant is sentenced to death after all judicial review of such cases and for the recommendation by said board of pardons and paroles to the Governor for the commutation of such sentences when certain mitigating circumstances surround the case.

Public Welfare.

By Messrs. Wallace, Boles, Easters, Lang, Kinsey, Brassell, Casey, Therrell, Hughes, Culver, Bank, Crowe, Hearn and Cottingham:

H. 1305. To require that any person who receives an M. D. or similar type medical degree from any state supported institution of higher learning and who actually engages in the practice of medicine in some state or territory of the United States, to first practice for five years within the State of Alabama or in lieu thereof, repay to the state institution of higher learning where he received his medical education an amount equal to that portion of the cost of his education which was paid out of state funds.

Health.

By Messrs. Turnham, St. John, King and Grainger:

H. 1306. To provide for the establishment of regional mental health-mental retardation facilities to furnish aid to all aspects of mental retardation-mental illness, including but not limited to alcoholism, drug addiction, and epilepsy; to authorize such corporations to implement programs and to construct, maintain, equip, and operate facilities; to provide that such programs and facilities be used in accordance with standards and criteria established by the State Board of Health and the Alabama Mental Health Board; to provide for the powers, authorities, and duties of such corporations; to authorize the said corporations to enter into contracts with any agency for the purpose of carrying into effect the above; to authorize local governing bodies

to appropriate monies for the support of such facilities and programs; to provide specific local funds to carry out the above; to repeal and supersede Act No. 310, H. 591, Regular Session 1967 (Acts 1967, p. 853).

Ways and Means.

By Messrs. Bank, Roberts, Waldrop, Coshatt and Falkenburg:

H. 1307. To amend Sections 1, 2, 3, 4, 8 and 9, Title 22, Code of Alabama 1940, as amended, which sections relate to the State Board of Health, so as to further regulate said Board.

Health.

By Messrs. Hill and Flippo:

H. 1308. To provide for a state supplement to the Chief Deputy District Attorney in the 11th Judicial Circuit.

Judiciary.

By Messrs. McCorquodale and Lyons:

H. 1309. To make a conditional supplemental appropriation to the Department of Public Safety for the fiscal years ending September 30, 1974 and September 30, 1975.

Ways and Means.

BILL RE-REFERRED

The bill, H. 1266, was re-referred from the Standing Committee on Ways and Means to the Standing Committee on Local Legislation No. 1, by the Speaker.

BILLS ON THIRD READING

And the bill:

H. 1044. Relating to all counties with a population of not less than 26,000 nor more than 26,800, according to the most recent federal decennial census, providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations and in certain cases of game, fish and conservation law violations.

Was taken up.

H. 1044 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 1044, was postponed to the twentieth legislative day.

And the bill:

H. 522. (With Amendment): Relating to counties having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census; to provide that patients at institutions for the insane and mentally retarded and patients at veterans' hospitals shall have free uses of all public fishing lakes and public recreational facilities in such counties.

16th Day

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend House Bill 522 by adding to Section 2 the following:

"These fishing privileges will apply only to municipal, State or county owned lakes and will only permit those in this bill from paying admittance fees and being allowed free fishing privileges but not the free use of boats and other equipment necessary for fishing.

And the amendment was adopted.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reid (R)
Adams	Culver	Kinsey	Reynolds
Adwell	Dill	Lang	Roberts
Agee	Doss	Lutz	Robertson
Bank	Downing	McBride	St. John
Barkett	Drake	McCluskey	Slate
Barron	Easters	McCorquodale	Smith (K)
Bassett	Edwards	McDonald	Smith (P)
Benton	Ellis	McMillan	Stewart
Boles	Falkenburg	Manley	Stokes
Boutwell	Fite	Mathews	Stubbs
Bowers	Flippo	May	Taylor
Brassell	Gafford	Meeks	Therrell
Burgess	Goodwin	Merrill	Timmons
Callahan	Grainger	Mims	Turner
Carnes	Grey (D)	Naramore	Turnham
Carter	Hale	Nettles	Waggoner
Casey	Hardin	O'Daniel	Waldrop
Cauthen	Harris	Owens	Wallace
Chesnut	Headley	Parker	Warren
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reed (T)	Wynot
Cross	Jones (F)		

—98

And the bill, H. 522, as thus amended, was read a third time at length and passed, and ordered sent to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cottingham	Ellis
Adams	Brassell	Crawford	Falkenburg
Adwell	Burgess	Cross	Fite
Agee	Callahan	Crowe	Flippo
Bank	Carnes	Culver	Gafford
Barkett	Carter	Dill	Goodwin
Barron	Casey	Doss	Grainger
Bassett	Cauthen	Downing	Grey (D)
Benton	Chesnut	Drake	Hale
Boles	Connell	Easters	Hardin
Boutwell	Coshatt	Edwards	Harris

16th Day

Headley	McMillan	Pruitt	Taylor
Hearn	Manley	Reed (T)	Therrell
Hill	Mathews	Reid (R)	Timmons
Hobbie	May	Reynolds	Turner
Hughes	Meeks	Roberts	Turnham
Jones (F)	Merrill	Robertson	Waggoner
King	Mims	St. John	Waldrop
Kinsey	Naramore	Slate	Wallace
Lang	Nettles	Smith (K)	Warren
Lutz	O'Daniel	Smith (P)	Williams
McBride	Owens	Stewart	Wise
McCluskey	Parker	Stokes	Wood
McCorquodale	Perloff	Stubbs	Wynot
McDonald	Porter		

—98

And the bill:

H. 1008. To allow prospective jurors to be excused without the presence of the defendant in criminal cases in the Thirty-seventh Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reid (R)
Adams	Culver	Kinsey	Reynolds
Adwell	Dill	Lang	Roberts
Agee	Doss	Lutz	Robertson
Bank	Downing	McBride	St. John
Barkett	Drake	McCluskey	Slate
Barron	Easters	McCorquodale	Smith (K)
Bassett	Edwards	McDonald	Smith (P)
Benton	Ellis	McMillan	Stewart
Boles	Falkenburg	Manley	Stokes
Boutwell	Fite	Mathews	Stubbs
Bowers	Flippo	May	Taylor
Brassell	Gafford	Meeks	Therrell
Burgess	Goodwin	Merrill	Timmons
Callahan	Grainger	Mims	Turner
Carnes	Grey (D)	Naramore	Turnham
Carter	Hale	Nettles	Waggoner
Casey	Hardin	O'Daniel	Waldrop
Cauthen	Harris	Owens	Wallace
Chesnut	Headley	Parker	Warren
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reed (T)	Wynot
Cross	Jones (F)		

—98

And the bill:

H. 1009. Relating to the method of giving notice of the requirement of attendance of jury service in the Thirty-seventh Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
16th Day

1277

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reid (R)
Adams	Culver	Kinsey	Reynolds
Adwell	Dill	Lang	Roberts
Agee	Doss	Lutz	Robertson
Bank	Downing	McBride	St. John
Barkett	Drake	McCluskey	Slate
Barron	Easters	McCorquodale	Smith (K)
Bassett	Edwards	McDonald	Smith (P)
Benton	Ellis	McMillan	Stewart
Boles	Falkenburg	Manley	Stokes
Boutwell	Fite	Mathews	Stubbs
Bowers	Flippo	May	Taylor
Brassell	Gafford	Meeks	Therrell
Burgess	Goodwin	Merrill	Timmons
Callahan	Grainger	Mims	Turner
Carnes	Grey (D)	Naramore	Turnham
Carter	Hale	Nettles	Waggoner
Casey	Hardin	O'Daniel	Waldrop
Cauthen	Harris	Owens	Wallace
Chesnut	Headley	Parker	Warren
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reed (T)	Wynot
Cross	Jones (F)		

—98

And the bill:

H. 1010. To regulate further the excusing of persons from jury service in the Thirty-seventh Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Carter	Edwards	Hughes
Adams	Casey	Ellis	Jones (F)
Adwell	Cauthen	Falkenburg	King
Agee	Chesnut	Fite	Kinsey
Bank	Connell	Flippo	Lang
Barkett	Coshatt	Gafford	Lutz
Barron	Cottingham	Goodwin	McBride
Bassett	Crawford	Grainger	McCluskey
Benton	Cross	Grey (D)	McCorquodale
Boles	Crowe	Hale	McDonald
Boutwell	Culver	Hardin	McMillan
Bowers	Dill	Harris	Manley
Brassell	Doss	Headley	Mathews
Burgess	Downing	Hearn	May
Callahan	Drake	Hill	Meeks
Carnes	Easters	Hobbie	Merrill

16th Day

Mims	Reed (T)	Stewart	Waggoner
Naramore	Reid (R)	Stokes	Waldrop
Nettles	Reynolds	Stubbs	Wallace
O'Daniel	Roberts	Taylor	Warren
Owens	Robertson	Therrell	Williams
Parker	St. John	Timmons	Wise
Perloff	Slate	Turner	Wood
Porter	Smith (K)	Turnham	Wynot
Pruitt	Smith (P)		

—98

And the bill:

H. 1011. To abolish the drawing of special venires in capital cases in the Thirty-seventh Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reid (R)
Adams	Culver	Kinsey	Reynolds
Adwell	Dill	Lang	Roberts
Agee	Doss	Lutz	Robertson
Bank	Downing	McBride	St. John
Barkett	Drake	McCluskey	Slate
Barron	Easters	McCorquodale	Smith (K)
Bassett	Edwards	McDonald	Smith (P)
Benton	Ellis	McMillan	Stewart
Boles	Falkenburg	Manley	Stokes
Boutwell	Fite	Mathews	Stubbs
Bowers	Flippo	May	Taylor
Brassell	Gafford	Meeks	Therrell
Burgess	Goodwin	Merrill	Timmons
Callahan	Grainger	Mims	Turner
Carnes	Grey (D)	Naramore	Turnham
Carter	Hale	Nettles	Waggoner
Casey	Hardin	O'Daniel	Waldrop
Cauthen	Harris	Owens	Wallace
Chesnut	Headley	Parker	Warren
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reed (T)	Wynot
Cross	Jones (F)		

—98

And the bill:

H. 1012. Relating to criminal procedure in the Thirty-seventh Judicial Circuit; providing for the separation of the jury during the trial of a felony by consent of the parties thereto.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

REGULAR SESSION
16th Day

1279

Brassell	Falkenburg	McCorquodale	Robertson
Burgess	Fite	McDonald	St. John
Callahan	Flippo	McMillan	Slate
Carnes	Gafford	Manley	Smith (K)
Carter	Goodwin	Mathews	Smith (P)
Casey	Grainger	May	Stewart
Cauthen	Grey (D)	Meeks	Stokes
Chesnut	Hale	Merrill	Stubbs
Connell	Hardin	Mims	Taylor
Coshatt	Harris	Naramore	Therrell
Cottingham	Headley	Nettles	Timmons
Crawford	Hearn	O'Daniel	Turner
Cross	Hill	Owens	Turnham
Crowe	Hobbie	Parker	Waggoner
Culver	Hughes	Perloff	Waldrop
Dill	Jones (F)	Porter	Wallace
Doss	King	Pruitt	Warren
Downing	Kinsey	Reed (T)	Williams
Drake	Lang	Reid (R)	Wise
Easters	Lutz	Reynolds	Wood
Edwards	McBride	Roberts	Wynot
Ellis	McCluskey		

—98

And the bill:

H. 1013. To apply only in the circuit court of the Thirty-seventh Judicial Circuit; to provide that in such court the parties to any action, except prosecutions for capital felonies, may at any stage of a trial then pending and whether the jury has retired or not, unanimously consent with legal effectiveness to the discharge from further duty of any member of the jury trying the case, and to a continuation of the trial and the rendition of a verdict by the remaining jurors; and to further provide that in such courts and in such actions the parties may, prior to the commencement of a trial unanimously stipulate in open court with legal effectiveness that in the event it becomes necessary during the pendency of the trial, whether the jury has retired or not, for the court to discharge from further duty any member of the jury trying the case because of the juror's sickness or other good cause, the trial shall continue with and a verdict be rendered by the remaining jurors.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Callahan	Doss	Hardin
Adams	Carnes	Downing	Harris
Adwell	Carter	Drake	Headley
Agee	Casey	Easters	Hearn
Bank	Cauthen	Edwards	Hill
Barkett	Chesnut	Ellis	Hobbie
Barron	Connell	Falkenburg	Hughes
Bassett	Coshatt	Fite	Jones (F)
Benton	Cottingham	Flippo	King
Boles	Crawford	Gafford	Kinsey
Boutwell	Cross	Goodwin	Lang
Bowers	Crowe	Grainger	Lutz
Brassell	Culver	Grey (D)	McBride
Burgess	Dill	Hale	McCluskey

McCorquodale	O'Daniel	St. John	Turner
McDonald	Owens	Slate	Turnham
McMillan	Parker	Smith (K)	Waggoner
Manley	Perloff	Smith (P)	Waldrop
Mathews	Porter	Stewart	Wallace
May	Pruitt	Stokes	Warren
Meeks	Reed (T)	Stubbs	Williams
Merrill	Reid (R)	Taylor	Wise
Mims	Reynolds	Therrell	Wood
Naramore	Roberts	Timmons	Wynot
Nettles	Robertson		

—98

And the bill:

H. 1180. Relating to Pickens County; authorizing nighttime hunting of raccoons and opossums under certain conditions.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reid (R)
Adams	Culver	Kinsey	Reynolds
Adwell	Dill	Lang	Roberts
Agee	Doss	Lutz	Robertson
Bank	Downing	McBride	St. John
Barkett	Drake	McCluskey	Slate
Barron	Easters	McCorquodale	Smith (K)
Bassett	Edwards	McDonald	Smith (P)
Benton	Ellis	McMillan	Stewart
Boles	Falkenburg	Manley	Stokes
Boutwell	Fite	Mathews	Stubbs
Bowers	Flippo	May	Taylor
Brassell	Gafford	Meeks	Therrell
Burgess	Goodwin	Merrill	Timmons
Callahan	Grainger	Mims	Turner
Carnes	Grey (D)	Naramore	Turnham
Carter	Hale	Nettles	Waggoner
Casey	Hardin	O'Daniel	Waldrop
Cauthen	Harris	Owens	Wallace
Chesnut	Headley	Parker	Warren
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wise
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reed (T)	Wynot
Cross	Jones (F)		

—98

UNFINISHED BUSINESS

The House then proceeded to the consideration of the unfinished business.

And the bill:

H. 94. Relating to motor vehicles; providing for the revocation of the driver's license of any person convicted of repeated violations of the traffic laws and who has been designated an habitual offender under the provisions

of this Act; prescribing the procedure for the petition, hearing and appeal in such cases; and prescribing the penalties for driving after license has been suspended or revoked.

Was taken up.

H. 94 POSTPONED

On motion of Mr. Callahan, the bill, H. 94 as amended, was postponed to the seventeenth legislative day.

BILLS POSTPONED

On motion of Mr. Callahan, the bills, H. 608 and H. 102, were postponed to the seventeenth legislative day.

BILLS ON THIRD READING RESUMED

And the bill:

H. 565. Relating to all counties having a population of not more than 10,660; providing for the appointment, duties, and compensation of clerks for the county governing body.

Was taken up.

H. 565 INDEFINITELY POSTPONED

On motion of Mr. Lang, the bill, H. 565, was indefinitely postponed.

And the bill:

H. 110. Relating to crimes and offenses; amending further Section 420, Title 14, Code of Alabama 1940, which prohibits certain acts on Sunday.

Was taken up.

H. 110 POSTPONED

On motion of Mr. Gafford, the bill, H. 110, was postponed to the eighteenth legislative day.

And the bill:

H. 204. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems to define the term "insurance holding company system" and certain other terms; to provide for and regulate the acquisition of subsidiaries of insurers; to regulate the acquisition of control of or merger with domestic insurers; to provide for the filing of certain information with the Commissioner of Insurance; to prescribe grounds for approval of mergers and acquisitions; to provide for notice and hearing; to provide for exemptions; to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide for exemptions and disclaimers; to provide standards for material transactions between insurers and their affiliates; to regulate extraordinary dividends and distributions; to provide for examination by the Commissioner of Insurance

with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Commissioner of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Commissioner of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the Act; to provide criminal penalties; to provide for receivership, revocation or suspension of license for violation of the Act; to provide for judicial review; to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

Was taken up.

H. 204 POSTPONED

On motion of Mr. Owens, the bill, H. 204, was postponed to the eighteenth legislative day.

And the bill:

H. 154. To amend further Act No. 382, H. 834, approved September 9, 1955, as last amended, an Act authorizing the director of the highway department to issue special permits for movement of certain oversize vehicles on public highways (Acts 1955, p. 916).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 4.

Yeas:

Mr. Speaker	Cottingham	Hobbie	Reed (T)
Adams	Crawford	Hughes	Reynolds
Adwell	Cross	Lang	Roberts
Agee	Culver	McBride	Robertson
Bank	Doss	McCluskey	St. John
Barkett	Downing	McCorquodale	Slate
Barron	Drake	McMillan	Smith (K)
Bassett	Easters	Manley	Stewart
Boles	Edwards	May	Stokes
Boutwell	Fite	Meeks	Stubbs
Bowers	Flippo	Merrill	Taylor
Brassell	Goodwin	Mims	Turner
Burgess	Grainger	Naramore	Waggoner
Callahan	Hale	O'Daniel	Wallace
Carnes	Harris	Owens	Weeks
Carter	Headley	Perloff	Williams
Chesnut	Hearn	Porter	Wood
Connell	Hill	Pruitt	Wynot
Coshatt			

—73

Nays:

Messrs.:	King	Nettles	Warren
Dill			

—4

And the bill:

H. 627. To amend § 42 of Title 46, Code of Alabama 1940, which section relates to persons who may practice as attorneys by authorizing senior

REGULAR SESSION
16th Day

1283

law students to perform, without compensation, acts enumerated in said section.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 1.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reed (T)
Adams	Cross	King	Reynolds
Adwell	Culver	Lang	Roberts
Agee	Dill	Lutz	St. John
Bank	Doss	McBride	Slate
Barkett	Downing	McCluskey	Smith (K)
Bassett	Drake	McCorquodale	Smith (P)
Boles	Easters	McDonald	Stewart
Boutwell	Edwards	McMillan	Stokes
Bowers	Falkenburg	Manley	Stubbs
Brassell	Fite	May	Taylor
Burgess	Flippo	Meeks	Timmons
Callahan	Goodwin	Merrill	Waggoner
Carnes	Grainger	Mims	Waldrop
Carter	Hale	Naramore	Wallace
Casey	Hardin	Nettles	Warren
Cauthen	Headley	O'Daniel	Weeks
Chesnut	Hearn	Owens	Williams
Connell	Hill	Perloff	Wise
Coshatt	Hobbie	Porter	Wood
Cottingham	Hughes	Pruitt	Wynot

—84

Nay: Mr. Barron.

—1

And the bill:

H. 688. (With Amendment): Relating to crimes and offenses; prohibiting the giving of false information, falsely reporting a crime, or making a false allegation against a law enforcement officer; prescribing penalties.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend Section 1 of House Bill No. 688 in line 5 by adding the words "knowingly, willfully" before the words "or falsely".

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Barron	Carnes	Coshatt
Adams	Bassett	Carter	Cottingham
Adwell	Boutwell	Casey	Crawford
Agee	Bowers	Cauthen	Cross
Bank	Brassell	Chesnut	Culver
Barkett	Callahan	Connell	Dill

16th Day

Doss	Hearn	Meeks	Smith (P)
Downing	Hill	Merrill	Stewart
Drake	Hobbie	Naramore	Stokes
Easters	Hughes	Nettles	Taylor
Edwards	Jones (F)	O'Daniel	Timmons
Falkenburg	King	Owens	Turner
Fite	Lang	Perloff	Waldrop
Flippo	Lutz	Porter	Wallace
Goodwin	McBride	Pruitt	Weeks
Grainger	McCluskey	Reynolds	Williams
Hale	McDonald	Roberts	Wise
Hardin	McMillan	St. John	Wood
Harris	Manley	Slate	Wynot
Headley	May	Smith (K)	

—79

And the bill, H. 688 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 2.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Culver	Lang	St. John
Agee	Dill	Lutz	Slate
Bank	Doss	McBride	Smith (K)
Barkett	Downing	McCluskey	Smith (P)
Barron	Drake	McCorquodale	Stewart
Bassett	Easters	McDonald	Stokes
Boles	Edwards	McMillan	Stubbs
Boutwell	Fite	Manley	Taylor
Bowers	Flippo	Mathews	Therrell
Brassell	Goodwin	May	Timmons
Burgess	Grainger	Meeks	Turner
Callahan	Grey (D)	Merrill	Waldrop
Carnes	Hale	Mims	Wallace
Carter	Hardin	Naramore	Warren
Casey	Harris	O'Daniel	Weeks
Cauthen	Headley	Owens	Williams
Chesnut	Hearn	Perloff	Wise
Connell	Hill	Porter	Wood
Coshatt	Hobbie	Pruitt	Wynot
Cottingham	Hughes	Reid (R)	

—87

Nays: Messrs. McNair and Reed (T).

—2

And the bill:

H. 772. To establish definitions for the term short-barreled shotgun, and to provide penalties for the possession of said weapon.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 9.

Yeas:

Mr. Speaker	Barkett	Boutwell	Carnes
Adams	Barron	Bowers	Carter
Adwell	Bassett	Brassell	Casey
Bank	Benton	Callahan	Cauthen

REGULAR SESSION
16th Day

1285

Chesnut	Hale	Manley	Smith (P)
Coshatt	Hardin	Mathews	Stewart
Cross	Harris	Meeks	Stokes
Culver	Headley	Naramore	Stubbs
Dill	Hearn	Nettles	Taylor
Doss	Hill	Owens	Therrell
Downing	Hobbie	Perloff	Timmons
Drake	Hughes	Porter	Turner
Easters	King	Pruitt	Waggoner
Falkenburg	Lang	Reynolds	Waldrop
Flippo	McBride	Roberts	Wallace
Gafford	McCluskey	St. John	Weeks
Goodwin	McDonald	Slate	Wise
Grainger	McMillan	Smith (K)	Wynot

—72

Nays:

Messrs.:	Connell	Edwards	Lutz
Agee	Cottingham	Fite	Warren
Burgess	Crowe		

—9

And the bill:

H. 775. To prohibit the false personation of a peace officer and to provide a penalty therefore.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jones (F)	Roberts
Adams	Cross	King	Robertson
Adwell	Culver	Lang	St. John
Agee	Dill	Lutz	Slate
Bank	Doss	McBride	Smith (K)
Barkett	Downing	McCluskey	Smith (P)
Barron	Drake	McDonald	Stewart
Bassett	Easters	McMillan	Stokes
Benton	Edwards	Manley	Stubbs
Boles	Fite	Mathews	Taylor
Bowers	Flippo	Meeks	Therrell
Brassell	Gafford	Merrill	Timmons
Burgess	Goodwin	Mims	Turner
Callahan	Grainger	Naramore	Waggoner
Carnes	Hale	Nettles	Waldrop
Carter	Hardin	O'Daniel	Wallace
Casey	Harris	Owens	Warren
Cauthen	Headley	Perloff	Weeks
Chesnut	Hearn	Porter	Williams
Connell	Hill	Pruitt	Wise
Coshatt	Hobbie	Reynolds	Wynot
Cottingham	Hughes		

—86

And the bill:

H. 160. (With Substitute and Amendments): To amend sections 3 and 4 of Act No. 652, S. B. 129, Regular Session 1949, (Acts 1949, p.

1006), so to further regulate the operation of motor driven cycles on highways.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Title 36, Chapter 9 and Sections 131, 132, and 134 of the Code of Alabama, 1958, to further regulate the operation of motorcycles on highways.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 131 of Title 36, Code of Alabama, 1958, is hereby amended to read as follows:

"Section 131. Registration; Operators License. (a) Every person, before operating any motorcycle upon a public highway in this state, shall register it with the director of public safety and procure an operator's license. Operator's licenses shall be issued under and be governed by the provisions of Code of Alabama, 1958 Recompiled, Title 36, Chapter 2. The intent of this section is that no person shall be eligible for an operator's license unless such person has furnished to the director of public safety a certified copy of his birth certificate to prove that he is at least sixteen years of age and thereafter, such person has successfully completed a specific test designated to test his ability to operate a motorcycle. The director of public safety is hereby given authority to establish specific tests, including written and road tests, to measure a person's ability to operate a motorcycle."

"(b) An automobile driver's license will not entitle a person to operate a motorcycle upon the public highways of this state."

Section 2. Section 132, paragraphs (c) and (e) of Title 36, Code of Alabama, 1958, is hereby amended to read as follows:

"Section 132 (c) Every person operating a motorcycle upon a roadway shall have full access to the right-of-way of the lane which he occupies and shall exercise due care when passing a standing vehicle or one proceeding in the same direction."

"Section 132 (e) No person operating a motorcycle shall carry any package, bundle, or article which prevents him from keeping at least one hand upon the handlebars and having both hands available in case of emergency."

Section 3. Section 134 of Title 36, Code of Alabama, 1958, is hereby amended to read as follows:

"Section 134. Brakes. Every motorcycle when operated upon the highway shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle. The director of public safety is authorized to

require an inspection of the brakes of any motorcycle and to disapprove any brakes which he finds is [are] not adequate. All such brakes shall be maintained in good working order."

"The director of public safety may refuse to register or he may suspend or revoke the registration of any motorcycle when he determines that the brakes thereon do not comply with the provisions of this section. No person shall operate on any highway any motorcycle in the event the director of public safety has disapproved the brake equipment on such cycle or type of cycle. Every motorcycle when operated upon the highway shall be equipped with front and rear brakes which may be operated by hand or foot."

"Any person violating this section shall be guilty of a misdemeanor (1949, p. 1008, sec. 6, appvd. Sept. 19, 1949)."

Section 4. The operator of a motorcycle must wear shatter-proof glasses, goggles, or a face shield and a shirt, long pants, and leather shoes.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall become effective 30 days after its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 56; Nays 13.

Yeas:

Messrs.:	Dill	Lutz	Smith (K)
Adams	Doss	McBride	Smith (P)
Bank	Downing	McCluskey	Stewart
Barron	Drake	McDonald	Stokes
Bassett	Easters	May	Stubbs
Boles	Flippo	Meeks	Taylor
Boutwell	Grainger	Merrill	Therrell
Bowers	Hale	Nettles	Timmons
Brassell	Hardin	Owens	Turner
Callahan	Harris	Perloff	Waggoner
Carnes	Headley	Pruitt	Waldrop
Casey	Hill	Roberts	Wallace
Cauthen	Hughes	St. John	Weeks
Connell	King	Slate	Wynot
Coshatt			

—56

Nays:

Messrs.:	Edwards	Mims	Warren
Benton	Fite	Porter	Williams
Burgess	Lang	Reynolds	Wood
Chesnut	McMillan		

—13

MOTION TO ADJOURN LOST

The motion offered by Mr. Downing that the House adjourn until 2:00 o'clock p.m., Tuesday, July 10, 1973, was lost.

Yeas 35; Nays 54.

Yeas:

Mr. Speaker	Casey	Goodwin	Naramore
Adams	Cottingham	Grey (D)	Pruitt
Barkett	Crawford	Harris	Reid (R)
Bassett	Culver	Lang	Reynolds
Boles	Downing	McDonald	St. John
Bowers	Drake	Manley	Therrell
Brassell	Easters	Mathews	Turner
Burgess	Edwards	May	Wood
Callahan	Fite	Merrill	

—35

Nays:

Messrs.:	Doss	Lutz	Smith (K)
Adwell	Ellis	McBride	Smith (P)
Agee	Falkenburg	McCluskey	Stewart
Bank	Flippo	McCorquodale	Stokes
Barron	Gafford	McMillan	Stubbs
Benton	Grainger	Meeks	Taylor
Boutwell	Hale	Mims	Timmons
Carnes	Hardin	Nettles	Turnham
Carter	Headley	Owens	Waggoner
Cauthen	Hill	Perloff	Waldrop
Chesnut	Hobbie	Reed (T)	Warren
Connell	Hughes	Roberts	Wise
Coshatt	Jones (F)	Robertson	Wynot
Dill	King	Slate	

—54

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 91. Naming State Highway 59 in Baldwin County "Gulf Shores Parkway".

Also:

H. J. R. 99. Relative to the Legislature of Alabama opposing the proposed increase in the gasoline tax.

Also:

H. J. R. 100. Relative to naming Highway 49 from I-85 North to Dadeville the "Stillwater Highway".

Also:

H. J. R. 106. Thanking Alabama Cattlemen's Association and the Alabama CowBelles for the Cookbooks Given to Members of the Legislature.

Also:

H. J. R. 107. Commending Ray Fields for being named Star Farmer of Alabama for 1973.

Also:

H. J. R. 108. Mourning the death of Robert Raymond Wright, Jr.

Also:

H. J. R. 109. Naming that section of U. S. Highway 431 passing through the City of Albertville as "Hooper Drive."

Also:

H. J. R. 110. Congratulating and commending Miss Jane Rice for being named Miss Alabama.

Also:

H. J. R. 113. Commending Hank Aaron for his brilliant baseball career and encouraging him to set a new home run record.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

H. 160 RESUMED

MOTION TO POSTPONE TABLED

On motion of Mr. King, the motion of Mr. St. John to postpone the bill, H. 160 as amended, to the seventeenth legislative day, was tabled.

Yeas 48; Nays 27.

Yeas:

Mr. Speaker	Chesnut	Hardin	Perloff
Adwell	Coshatt	Hill	Porter
Agee	Cottingham	King	Roberts
Barkett	Cross	Lutz	Smith (K)
Barron	Culver	McBride	Smith (P)
Bassett	Doss	McCluskey	Timmons
Benton	Easters	McCorquodale	Turnham
Boutwell	Edwards	Manley	Waggoner
Carnes	Falkenburg	Mathews	Waldrop
Carter	Flippo	Nettles	Wallace
Casey	Grainger	O'Daniel	Weeks
Cauthen	Hale	Owens	Wynot

Nays:

Messrs.:	Brassell	Dill	Grey (D)
Boles	Callahan	Drake	Harris
Bowers	Crowe	Fite	Headley

Hearn
Hobbie
Hughes
Lang

McDonald
McMillan
Narmore
Reid (R)

Reynolds
St. John
Slate
Stokes

Stubbs
Taylor
Turner
Williams

—27

MOTION TO RE-REFER TABLED

On motion of Mr. King, the motion of Mr. Callahan to re-refer the bill, H. 160 as amended, to the Standing Committee on Highway Safety, was tabled.

Yeas 50; Nays 29.

Yeas:

Messrs.:
Adams
Adwell
Agee
Bank
Barron
Bassett
Benton
Boutwell
Bowers
Brassell
Carnes
Carter

Casey
Chesnut
Coshatt
Cottingham
Cross
Dill
Doss
Flipppo
Grainger
Hale
Hardin
Headley
Hearn

Hill
Hughes
King
Lang
Lutz
McBride
McCluskey
McCorquodale
McDonald
Manley
Meeks
Merrill
Nettles

Owens
Perloff
Porter
Pruitt
Roberts
St. John
Smith (P)
Stewart
Stubbs
Waldrop
Weeks
Wood

—50

Nays:

Mr. Speaker
Barkett
Burgess
Callahan
Crawford
Crowe
Downing
Drake

Easters
Falkenburg
Fite
Goodwin
Grey (D)
Harris
Hobbie

McNair
Mims
Narmore
O'Daniel
Reid (R)
Reynolds
Robertson

Slate
Stokes
Taylor
Therrell
Turner
Waggoner
Warren

—29

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend House Bill 160 as substituted by adding the following Section as Section 5 and renumbering the subsequent sections accordingly:

"Section 5—Penalty for Violation:

Any person who violates any provision of this Act shall be guilty of a misdemeanor, and, upon conviction shall be punished by a fine not less than ten dollars (\$10) nor more than one hundred dollars (\$100)."

And the amendment #1 was adopted.

Yeas 85; Nays 2.

Yeas:

Mr. Speaker
Adams
Adwell

Agee
Bank
Barkett

Barron
Bassett
Benton

Boles
Boutwell
Bowers

REGULAR SESSION
16th Day

1291

Brassell	Easters	McCorquodale	St. John
Burgess	Edwards	McDonald	Slate
Callahan	Falkenburg	McMillan	Smith (K)
Carnes	Flippo	McNair	Smith (P)
Carter	Goodwin	Manley	Stewart
Casey	Grainger	May	Stokes
Cauthen	Grey (D)	Meeks	Stubbs
Chesnut	Hale	Merrill	Taylor
Connell	Hardin	Naramore	Therrell
Coshatt	Harris	Nettles	Timmons
Cottingham	Headley	O'Daniel	Turner
Crawford	Hearn	Owens	Waggoner
Cross	Hill	Parker	Waldrop
Crowe	Hughes	Perloff	Wallace
Culver	King	Porter	Warren
Dill	Lutz	Pruitt	Weeks
Doss	McBride	Roberts	Wise
Downing	McCluskey	Robertson	Wood
Drake			—85

Nays: Messrs. Fite and Reynolds.

—2

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend House Bill 160 as substituted in Section 2, section 132 (c) to read, "Every person operating a motorcycle upon a roadway shall have full access to the right-of-way lane and shall exercise due care when passing a standing vehicle or one proceeding in the same direction."

And the amendment #2 was adopted.

Yeas 86; Nays 2.

Yeas:

Mr. Speaker	Cross	Lutz	St. John
Adams	Crowe	McBride	Slate
Adwell	Culver	McCluskey	Smith (K)
Bank	Dill	McCorquodale	Smith (P)
Barkett	Doss	McDonald	Stewart
Barron	Downing	McMillan	Stokes
Bassett	Easters	McNair	Stubbs
Benton	Edwards	Manley	Taylor
Boles	Falkenburg	May	Therrell
Boutwell	Flippo	Meeks	Timmons
Bowers	Goodwin	Merrill	Turner
Brassell	Grainger	Mims	Turnham
Burgess	Grey (D)	Naramore	Waggoner
Carnes	Hale	Nettles	Waldrop
Carter	Hardin	Owens	Wallace
Casey	Harris	Parker	Warren
Cauthen	Headley	Perloff	Weeks
Chesnut	Hearn	Porter	Williams
Connell	Hill	Pruitt	Wise
Coshatt	Hughes	Roberts	Wood
Cottingham	Jones (F)	Robertson	Wynot
Crawford	King		—86

Nays: Messrs. Drake and Reynolds.

—2

The question was then on the adoption of the amendment #3 reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend House Bill 160 as substituted in Section 1 by striking out the words "sixteen years" and inserting in lieu thereof the words "fourteen years".

MOTION TO TABLE

Mr. King offered the motion to table the amendment #3 to the bill, H. 160 as amended.

MOTION TO POSTPONE

Mr. Hobbie offered the motion to postpone the bill, H. 160 as amended, to the seventeenth legislative day.

MOTION TO ADJOURN LOST

The motion offered by Mr. Perloff that the House adjourn until 2:00 o'clock p.m., Tuesday, July 10, 1973, was lost.

Yeas 40; Nays 47.

Yeas:

Mr. Speaker	Connell	Fite	Naramore
Adams	Cottingham	Goodwin	O'Daniel
Bank	Crawford	Grey (D)	Perloff
Barkett	Crowe	Hearn	Pruitt
Boles	Culver	Lang	Reid (R)
Bowers	Dill	McDonald	Reynolds
Brassell	Downing	Manley	St. John
Burgess	Drake	Mathews	Therrell
Callahan	Easters	May	Turner
Casey	Edwards	Merrill	Wood

—40

Nays:

Messrs.:	Flippo	McBride	Smith (K)
Adwell	Gafford	McCluskey	Smith (P)
Barron	Grainger	McCorquodale	Stewart
Bassett	Hale	McMillan	Stokes
Benton	Hardin	McNair	Stubbs
Carnes	Headley	Meeks	Taylor
Carter	Hill	Mims	Timmons
Cauthen	Hobbie	Nettles	Waggoner
Coshatt	Hughes	Owens	Waldrop
Cross	Jones (F)	Porter	Wallace
Doss	King	Roberts	Warren
Falkenburg	Lutz	Slate	Wynot

—47

The question was then on the motion offered by Mr. Hobbie to postpone the bill, H. 160 as amended, to the seventeenth legislative day.

MOTION TO POSTPONE TABLED

On motion of Mr. King, the motion offered by Mr. Hobbie was tabled.

REGULAR SESSION
16th Day

1293

Yeas 51; Nays 36.

Yeas:

Messrs.:	Cauthen	Hardin	Nettles
Adams	Connell	Hearn	Perloff
Agee	Coshatt	Hill	Pruitt
Bank	Cottingham	King	Roberts
Barkett	Cross	Lutz	Smith (K)
Barron	Culver	McBride	Smith (P)
Bassett	Doss	McCluskey	Stewart
Benton	Easters	McCorquodale	Therrell
Boles	Ellis	McNair	Waggoner
Boutwell	Falkenburg	Manley	Waldrop
Bowers	Flippo	Mathews	Weeks
Carnes	Grainger	Meeks	Wood
Casey	Hale	Merrill	Wynot

—51

Nays:

Mr. Speaker	Downing	Lang	Slate
Adwell	Drake	McMillan	Stokes
Burgess	Edwards	Naramore	Stubbs
Callahan	Fite	O'Daniel	Taylor
Carter	Goodwin	Owens	Timmons
Chesnut	Grey (D)	Parker	Turner
Crawford	Headley	Reid (R)	Turnham
Crowe	Hobbie	Reynolds	Williams
Dill	Hughes	Robertson	Wise

—36

MOTION TO ADJOURN LOST

The motion of Mr. Culver that the House adjourn until 2:01 o'clock p.m., Tuesday, July 10, 1973, was lost.

Yeas 42; Nays 51.

Yeas:

Mr. Speaker	Cottingham	Grey (D)	O'Daniel
Adams	Crawford	Hardin	Perloff
Barkett	Crowe	Harris	Porter
Bassett	Culver	Hearn	Pruitt
Boles	Dill	Lang	Reid (R)
Bowers	Downing	Manley	Reynolds
Brassell	Drake	Mathews	Therrell
Burgess	Easters	May	Weeks
Callahan	Edwards	Merrill	Williams
Casey	Fite	Naramore	Wood
Chesnut	Goodwin		

—42

Nays:

Adwell	Carter	Flippo	Hughes
Agee	Cauthen	Gafford	Jones (F)
Bank	Connell	Grainger	King
Barron	Coshatt	Hale	Lutz
Benton	Cross	Headley	McBride
Boutwell	Doss	Hill	McCluskey
Carnes	Falkenburg	Hobbie	McMillan

16th Day

McNair	Roberts	Stokes	Waggoner
Meeks	Robertson	Stubbs	Waldrop
Mims	Slate	Taylor	Warren
Nettles	Smith (K)	Timmons	Wise
Owens	Smith (P)	Turner	Wynot
Parker	Stewart	Turnham	

—51

H. 160 RESUMED

The question was then on the motion offered by Mr. King to table the amendment #3 to the bill, H. 160 as amended, reported by the Standing Committee on Judiciary, and the motion was lost.

Yeas 30; Nays 54.

Yeas:

Messrs.:	Cauthen	Hearn	Roberts
Agee	Connell	Hill	Smith (K)
Barkett	Coshatt	King	Smith (P)
Barron	Cross	Lutz	Turnham
Brassell	Dill	McCorquodale	Waldrop
Carnes	Easters	Nettles	Wood
Carter	Flippo	Owens	Wynot
Casey	Hardin	Porter	

—30

Nays:

Mr. Speaker	Downing	McBride	Robertson
Adwell	Drake	McMillan	Slate
Bassett	Edwards	McNair	Stewart
Benton	Falkenburg	Mathews	Stokes
Boles	Fite	Meeks	Taylor
Bowers	Goodwin	Merrill	Therrell
Burgess	Grainger	Mims	Timmons
Callahan	Grey (D)	Naramore	Turner
Chesnut	Harris	O'Daniel	Waggoner
Cottingham	Headley	Parker	Wallace
Crawford	Hobbie	Pruitt	Warren
Crowe	Hughes	Reid (R)	Williams
Culver	Jones (F)	Reynolds	Wise
Doss	Lang		

—54

AMENDMENT ADOPTED

The question was then on the adoption of the amendment #3 to the bill, H. 160 as amended, reported by the Standing Committee on Judiciary, and the amendment was adopted.

Yeas 64; Nays 25.

Yeas:

Mr. Speaker	Burgess	Cross	Goodwin
Adwell	Callahan	Crowe	Grainger
Bassett	Carter	Doss	Grey (D)
Benton	Casey	Downing	Hardin
Boles	Chesnut	Drake	Harris
Boutwell	Connell	Edwards	Headley
Bowers	Cottingham	Fite	Hobbie
Brassell	Crawford	Gafford	Hughes

REGULAR SESSION
16th Day

1295

Jones (F)	Naramore	Robertson	Turner
Lang	O'Daniel	Slate	Turnham
McBride	Owens	Smith (K)	Waggoner
McNair	Parker	Stewart	Wallace
Manley	Porter	Stokes	Warren
Meeks	Pruitt	Stubbs	Weeks
Merrill	Reid (R)	Taylor	Williams
Mims	Reynolds	Timmons	Wise

—64

Nays:

Messrs.:	Cauthen	Hill	Nettles
Adams	Coshatt	King	Roberts
Agee	Dill	Lutz	Smith (P)
Bank	Easters	McCorquodale	Waldrop
Barkett	Flippo	McMillan	Wood
Barron	Hale	Mathews	Wynot
Carnes	Hearn		

—25

MOTION TO POSTPONE LOST

The motion of Mr. Callahan to indefinitely postpone the bill, H. 160 as amended, was lost.

Yeas 28; Nays 59.

Yeas:

Mr. Speaker	Culver	Grey (D)	Reynolds
Adwell	Downing	Hobbie	Smith (K)
Benton	Drake	Lang	Stokes
Burgess	Edwards	McMillan	Timmons
Callahan	Fite	Naramore	Wallace
Chesnut	Gafford	O'Daniel	Williams
Crowe	Goodwin	Reid (R)	Wise

—28

Nays:

Messrs.:	Cottingham	Hughes	Roberts
Adams	Crawford	King	Robertson
Bank	Cross	Lutz	Slate
Barkett	Dill	McBride	Smith (P)
Barron	Doss	McCorquodale	Stewart
Bassett	Easters	McNair	Stubbs
Boles	Falkenburg	May	Taylor
Bowers	Flippo	Meeks	Therrell
Brassell	Grainger	Merrill	Turner
Carnes	Hale	Nettles	Turnham
Carter	Hardin	Owens	Waggoner
Casey	Harris	Parker	Waldrop
Cauthen	Headley	Perloff	Weeks
Connell	Hearn	Porter	Wood
Coshatt	Hill	Pruitt	Wynot

—59

Mr. Wood offered the following amendment to the bill, H. 160 as amended:

Amend Section 4 of H. B. 160 as substituted, to read as follows:

"Section 4. The operator of a motorcycle must wear shatterproof glasses, goggles, or a face shield and a shirt, long pants, leather shoes and a black leather jacket."

And the amendment was lost.

Yeas 17; Nays 49.

Yeas:

Messrs.:	Dill	Grey (D)	Reid (R)
Adwell	Downing	Manley	Robertson
Benton	Drake	Parker	Turnham
Brassell	Falkenburg	Pruitt	Wood
Chesnut	Fite		

—17

Nays:

Messrs.:	Cross	Jones (F)	Perloff
Agee	Culver	King	Porter
Barron	Doss	Lang	Slate
Boutwell	Edwards	Lutz	Smith (P)
Burgess	Flippo	McBride	Stewart
Carnes	Goodwin	McCorquodale	Timmons
Carter	Grainger	McMillan	Turner
Casey	Hale	McNair	Waldrop
Cauthen	Hardin	Mathews	Wallace
Connell	Headley	Meeks	Weeks
Coshatt	Hearn	Nettles	Williams
Cottingham	Hill	Owens	Wynot
Crawford	Hughes		

—49

MOTION TO ADJOURN LOST

The motion of Mr. Wood that the House adjourn until 2:00 o'clock p.m., Tuesday, July 10, 1973, was lost.

Yeas 38; Nays 49.

Yeas:

Mr. Speaker	Cottingham	Goodwin	Perloff
Barkett	Crawford	Grey (D)	Porter
Benton	Crowe	Hearn	Pruitt
Boles	Culver	Lang	Reid (R)
Bowers	Dill	Manley	Reynolds
Brassell	Downing	Mathews	St. John
Burgess	Drake	May	Therrell
Callahan	Easters	Naramore	Williams
Casey	Edwards	O'Daniel	Wood
Chesnut	Fite		

—38

Nays:

Messrs.:	Cauthen	Hale	McBride
Adams	Connell	Hardin	McCorquodale
Adwell	Coshatt	Hill	McMillan
Agee	Cross	Hobbie	McNair
Bank	Doss	Hughes	Meeks
Barron	Falkenburg	Jones (F)	Merrill
Carnes	Flippo	King	Mims
Carter	Grainger	Lutz	Nettles

REGULAR SESSION
16th Day

1297

Owens	Slate	Stubbs	Waggoner
Parker	Smith (K)	Taylor	Waldrop
Reed (T)	Smith (P)	Timmons	Warren
Roberts	Stewart	Turner	Wynot
Robertson	Stokes		

—49

H. 160 RESUMED

Mr. Callahan offered the following amendment #1 to the bill, H. 160 as amended:

Delete the last three words of Section 4, "and leather shoes."

MOTION TO TABLE LOST

The motion of Mr. King to table the amendment offered by Mr. Callahan to the bill, H. 160 as amended, was lost.

Yeas 40; Nays 41.

Yeas:

Messrs.:	Connell	Hale	Perloff
Bank	Coshatt	Hearn	Roberts
Barkett	Cottingham	Hill	Robertson
Barron	Culver	King	Smith (P)
Boutwell	Dill	Lutz	Stewart
Brassell	Doss	McNair	Therrell
Burgess	Easters	Mathews	Turnham
Carnes	Falkenburg	Merrill	Waldrop
Carter	Flippo	Nettles	Weeks
Casey	Grainger	Owens	Wynot
Cauthen			

—40

Nays:

Mr. Speaker	Fite	Manley	Stokes
Adwell	Goodwin	Meeks	Taylor
Benton	Grey (D)	Mims	Timmons
Boles	Hardin	Naramore	Turner
Callahan	Harris	O'Daniel	Waggoner
Crawford	Hughes	Parker	Wallace
Cross	Jones (F)	Pruitt	Warren
Crowe	Lang	Reid (R)	Williams
Downing	McBride	Reynolds	Wise
Drake	McMillan	Slate	Wood
Edwards			

—41

The question was then on the amendment #1 offered by Mr. Callahan to the bill, H. 160 as amended, and the amendment #1 was adopted.

Yeas 46; Nays 33.

Yeas:

Mr. Speaker	Carter	Fite	Lang
Adwell	Chesnut	Goodwin	McBride
Barkett	Crawford	Grey (D)	McMillan
Benton	Culver	Harris	Manley
Boles	Downing	Hobbie	Meeks
Burgess	Drake	Hughes	Mims
Callahan	Edwards	Jones (F)	Naramore

O'Daniel	Reynolds	Timmons	Warren
Parker	Robertson	Turner	Weeks
Pruitt	Slate	Waggoner	Wise
Reed (T)	Smith (K)	Wallace	Wood
Reid (R)	Taylor		

—46

Nays:

Messrs.:	Cross	King	Perloff
Agee	Dill	Lutz	Roberts
Bank	Doss	McCluskey	Smith (P)
Barron	Flippo	McCorquodale	Stewart
Brassell	Grainger	McNair	Therrell
Carnes	Hale	Merrill	Turnham
Casey	Hardin	Nettles	Waldrop
Coshatt	Hearn	Owens	Wynot
Cottingham	Hill		

—33

MOTION TO POSTPONE TABLED

On motion of Mr. King, the motion of Mr. Hobbie to postpone the bill, H. 160 as amended, to the eighteenth legislative day was tabled.

Yeas 52; Nays 33.

Yeas:

Messrs.:	Cauthen	Hill	Parker
Adams	Coshatt	Hughes	Perloff
Agee	Cottingham	King	Porter
Bank	Cross	Lutz	Roberts
Barkett	Dill	McBride	Slate
Barron	Doss	McCluskey	Smith (P)
Bassett	Falkenburg	McCorquodale	Stewart
Benton	Flippo	Mathews	Stubbs
Boutwell	Grainger	May	Turnham
Brassell	Hale	Meeks	Waggoner
Burgess	Hardin	Merrill	Waldrop
Carnes	Headley	Nettles	Weeks
Carter	Hearn	Owens	Wynot
Casey			

—52

Nays:

Mr. Speaker	Drake	McMillan	Robertson
Adwell	Edwards	McNair	Stokes
Callahan	Fite	Manley	Taylor
Chesnut	Goodwin	Mims	Timmons
Connell	Grey (D)	Naramore	Turner
Crawford	Harris	Pruitt	Warren
Crowe	Hobbie	Reid (R)	Williams
Culver	Lang	Reynolds	Wood
Downing			

—33

Mr. Stokes offered the following amendment to the bill, H. 160 as amended:

Amend Section 4 of the substitute for H. B. 160 by deleting the words "long pants" therefrom.

AMENDMENT TABLED

On motion of Mr. King, the amendment offered by Mr. Stokes was tabled.

REGULAR SESSION
16th Day

1299

Yeas 54; Nays 33.

Yeas:

Messrs.:	Dill	McBride	Roberts
Adams	Doss	McCluskey	Robertson
Agee	Easters	McCorquodale	Slate
Bank	Flippo	McNair	Smith (P)
Barkett	Gafford	Mathews	Stewart
Barron	Grainger	Meeks	Stubbs
Bassett	Hale	Merrill	Turnham
Brassell	Hardin	Nettles	Waggoner
Carnes	Headley	O'Daniel	Waldrop
Casey	Hearn	Owens	Warren
Cauthen	Hill	Parker	Weeks
Connell	Hughes	Perloff	Wood
Coshatt	King	Porter	Wynot
Cottingham	Lutz	Reed (T)	

—54

Nays:

Mr. Speaker	Culver	Hobbie	Reid (R)
Adwell	Downing	Jones (F)	Reynolds
Benton	Drake	Lang	Smith (K)
Bowers	Edwards	McMillan	Stokes
Burgess	Fite	Manley	Therrell
Callahan	Goodwin	Mims	Timmons
Carter	Grey (D)	Naramore	Turner
Chesnut	Harris	Pruitt	Williams
Crawford			

—33

Mr. King offered the following amendment to the bill, H. 160 as amended:

Amend the substitute for H. B. 160, Section 4, by adding at the end thereof the following, "and shoes."

And the amendment was adopted.

Yeas 72; Nays 11.

Yeas:

Messrs.:	Cross	Jones (F)	Reed (T)
Adams	Crowe	King	Roberts
Agee	Dill	Lang	Robertson
Barkett	Doss	Lutz	Slate
Barron	Downing	McBride	Smith (K)
Bassett	Easters	McCluskey	Smith (P)
Benton	Falkenburg	McNair	Stewart
Boles	Flippo	Manley	Stokes
Boutwell	Gafford	Mathews	Stubbs
Bowers	Grainger	May	Therrell
Brassell	Grey (D)	Meeks	Turnham
Callahan	Hale	Merrill	Waggoner
Carnes	Hardin	Mims	Waldrop
Carter	Harris	Nettles	Warren
Casey	Headley	O'Daniel	Weeks
Cauthen	Hearn	Owens	Wise
Connell	Hill	Parker	Wood
Coshatt	Hughes	Pruitt	Wynot
Cottingham			

—72

Nays:

Mr. Speaker	Drake	Hobbie	Turner
Adwell	Fite	Naramore	Williams
Culver	Goodwin	Reynolds	

—11

MOTION TO ADJOURN LOST

The motion of Mr. Manley that the House adjourn until 2:00 o'clock p.m., Tuesday, July 10, 1973, was lost.

Yeas 36; Nays 48.

Yeas:

Mr. Speaker	Crawford	Grey (D)	O'Daniel
Bank	Culver	Harris	Pruitt
Bassett	Dill	Hearn	Reid (R)
Boles	Downing	Hughes	Reynolds
Brassell	Drake	Lang	St. John
Casey	Easters	Manley	Stokes
Chesnut	Edwards	Mathews	Therrell
Connell	Fite	Meeks	Williams
Cottingham	Goodwin	Naramore	Wood

—36

Nays:

Messrs.:	Falkenburg	McMillan	Smith (K)
Adams	Flippo	McNair	Smith (P)
Adwell	Grainger	May	Stewart
Agee	Hale	Merrill	Stubbs
Barkett	Hardin	Mims	Taylor
Barron	Headley	Nettles	Timmons
Benton	Hill	Owens	Turner
Bowers	Jones (F)	Parker	Waggoner
Carnes	King	Reed (T)	Waldrop
Cauthen	Lutz	Roberts	Warren
Coshatt	McBride	Robertson	Wise
Cross	McCorquodale	Slate	Wynot
Doss			

—48

H. 160 RESUMED

Mr. Burgess offered the following amendment to the bill, H. 160 as amended:

Amend H. B. 160 in Section 4:

That any rider must have hair cut so that it does not flop down in front of goggles, shield or glasses so as to interfere with view of driver.

AMENDMENT TABLED

On motion of Mr. King, the amendment offered by Mr. Burgess was tabled.

Yeas 69; Nays 20.

Yeas:

Messrs.:	Barron	Brassell	Carter
Adams	Bassett	Callahan	Casey
Agee	Boutwell	Carnes	Cauthen

REGULAR SESSION
16th Day

1301

Connell	Hale	Mathews	Smith (K)
Coshatt	Hardin	May	Smith (P)
Cottingham	Harris	Meeks	Stewart
Crawford	Headley	Merrill	Stubbs
Cross	Hearn	Mims	Taylor
Crowe	Hill	Nettles	Therrell
Culver	Jones (F)	Owens	Timmons
Dill	King	Parker	Turner
Doss	Lutz	Perloff	Turnham
Edwards	McBride	Porter	Waggoner
Falkenburg	McCluskey	Pruitt	Waldrop
Flippo	McCorquodale	Reed (T)	Warren
Gafford	McMillan	Roberts	Weeks
Goodwin	McNair	Slate	Wynot
Grainger	Manley		

—69

Nays:

Mr. Speaker	Downing	Hobbie	Robertson
Barkett	Drake	Hughes	Stokes
Benton	Easters	Lang	Williams
Boles	Fite	O'Daniel	Wise
Burgess	Grey (D)	Reynolds	Wood

—20

Mr. Adwell offered the following amendment to the bill, H. 160 as amended:

Amend House Bill 160 by deleting Section 4 and renumbering accordingly.

AMENDMENT TABLED

On motion of Mr. King, the amendment offered by Mr. Adwell was tabled.

Yeas 61; Nays 23.

Yeas:

Messrs.:	Coshatt	King	Perloff
Adams	Cottingham	Lutz	Porter
Agee	Crawford	McBride	Pruitt
Barkett	Cross	McCluskey	Reed (T)
Barron	Dill	McCorquodale	Robertson
Bassett	Doss	McNair	Smith (P)
Boutwell	Easters	Manley	Stewart
Bowers	Flippo	Mathews	Stubbs
Brassell	Gafford	Meeks	Therrell
Burgess	Grainger	Merrill	Turnham
Callahan	Hale	Mims	Waggoner
Carnes	Hardin	Nettles	Waldrop
Carter	Harris	O'Daniel	Warren
Casey	Headley	Owens	Weeks
Cauthen	Hearn	Parker	Wynot
Connell	Hill		

—61

Nays:

Mr. Speaker	Downing	Falkenburg	Grey (D)
Adwell	Drake	Fite	Hobbie
Chesnut	Edwards	Goodwin	Hughes

16th Day

McMillan	Reynolds	Stokes	Williams	
Naramore	Slate	Timmons	Wood	
Reid (R)	Smith (K)	Turner		—23

Mr. Culver offered the following amendment to the bill, H. 160 as amended:

Amend H. B. 160 by inserting at the end of Section 4 the following:

"For the purpose of this act a motorcycle is defined as any two- or three-wheel motor driver cycle."

And the amendment was adopted.

Yeas 81; Nays 5.

Yeas:

Messrs.:	Cottingham	Hearn	Pruitt	
Adams	Crawford	Hobbie	Reed (T)	
Adwell	Cross	Hughes	Reid (R)	
Agee	Crowe	Jones (F)	Roberts	
Bank	Culver	King	Robertson	
Barkett	Dill	Lang	Smith (P)	
Barron	Doss	Lutz	Stewart	
Bassett	Downing	McBride	Stokes	
Benton	Drake	McCluskey	Stubbs	
Boles	Easters	McCorquodale	Taylor	
Boutwell	Falkenburg	McNair	Therrell	
Bowers	Fite	Mathews	Timmons	
Brassell	Flippo	Merrill	Turnham	
Burgess	Gafford	Mims	Waggoner	
Callahan	Goodwin	Nettles	Waldrop	
Carnes	Grainger	O'Daniel	Warren	
Carter	Grey (D)	Owens	Weeks	
Casey	Hale	Parker	Wise	
Cauthen	Hardin	Perloff	Wood	
Connell	Harris	Porter	Wynot	
Coshatt	Headley			—81

Nays:

Messrs.:	Manley	Reynolds	Williams	
Hill	Meeks			—5

Mr. Callahan offered the following amendment #2 to the bill, H. 160 as amended:

In Section 7 change the effective date to January 1, 1975.

AMENDMENT TABLED

On motion of Mr. King, the amendment #2 offered by Mr. Callahan was tabled.

Yeas 59; Nays 24.

Yeas:

Messrs.:	Barron	Brassell	Casey
Adams	Bassett	Burgess	Cauthen
Bank	Boutwell	Carnes	Connell
Barkett	Bowers	Carter	Coshatt

REGULAR SESSION
16th Day

1303

Cottingham	Hardin	Meeks	Slate
Cross	Hearn	Merrill	Smith (P)
Culver	Hill	Nettles	Stewart
Dill	Hughes	Owens	Taylor
Doss	King	Parker	Turnham
Easters	Lutz	Perloff	Waggoner
Falkenburg	McBride	Porter	Waldrop
Flippo	McCluskey	Pruitt	Wallace
Goodwin	McCorquodale	Reed (T)	Weeks
Grainger	McNair	Reid (R)	Wood
Hale	Mathews	Roberts	Wynot

—59

Nays:

Mr. Speaker	Crowe	Harris	Smith (K)
Adwell	Downing	Hobbie	Stokes
Agee	Drake	McMillan	Therrell
Benton	Edwards	Naramore	Turner
Callahan	Fite	Reynolds	Williams
Crawford	Grey (D)	Robertson	Wise

—24

MOTION TO ADJOURN LOST

The motion of Mr. Burgess that the House adjourn until 2:00 o'clock p.m., Tuesday, July 10, 1973, was lost.

Yeas 37; Nays 56.

Yeas:

Mr. Speaker	Cottingham	Grey (D)	Porter
Adams	Crawford	Hearn	Pruitt
Bassett	Crowe	Hobbie	Reid (R)
Benton	Downing	Lang	Reynolds
Brassell	Drake	Manley	St. John
Burgess	Easters	Mathews	Smith (K)
Callahan	Edwards	Naramore	Therrell
Casey	Fite	O'Daniel	Williams
Chesnut	Goodwin	Perloff	Wood
Connell			

—37

Nays:

Messrs.:	Flippo	McCorquodale	Smith (P)
Adwell	Gafford	McMillan	Stewart
Agee	Grainger	McNair	Stokes
Bank	Hale	May	Stubbs
Barkett	Hardin	Meeks	Taylor
Barron	Harris	Merrill	Timmons
Bowers	Headley	Mims	Turner
Carnes	Hill	Nettles	Turnham
Carter	Hughes	Owens	Waggoner
Cauthen	Jones (F)	Parker	Waldrop
Coshatt	King	Reed (T)	Wallace
Culver	Lutz	Roberts	Warren
Dill	McBride	Robertson	Wise
Doss	McCluskey	Slate	Wynot
Falkenburg			

—56

H. 160 RESUMED
MOTION TO POSTPONE TABLED

On motion of Mr. King, the motion of Mr. Robertson to postpone the bill, H. 160 as amended, to the thirty-fifth legislative day, was tabled.

Yeas 51; Nays 35.

Yeas:

Messrs.:	Connell	Hill	Porter
Adams	Coshatt	King	Roberts
Agee	Cottingham	Lutz	Slate
Bank	Cross	McBride	Smith (P)
Barron	Culver	McCluskey	Stewart
Bassett	Dill	McCorquodale	Taylor
Boutwell	Doss	Mathews	Therrell
Brassell	Easters	Meeks	Turnham
Callahan	Flippo	Merrill	Waggoner
Carnes	Grainger	Nettles	Waldrop
Carter	Hale	Owens	Weeks
Casey	Hardin	Parker	Wood
Cauthen	Hearn	Perloff	Wynot

—51

Nays:

Mr. Speaker	Edwards	McMillan	Stokes
Adwell	Falkenburg	McNair	Stubbs
Barkett	Fite	Manley	Timmons
Benton	Goodwin	Naramore	Turner
Burgess	Grey (D)	Pruitt	Wallace
Crawford	Harris	Reid (R)	Warren
Crowe	Hobbie	Reynolds	Williams
Downing	Hughes	Robertson	Wise
Drake	Lang	Smith (K)	

—35

And the bill, H. 160:

To amend Title 36, Chapter 9 and Sections 131, 132, and 134 of the Code of Alabama, 1958, to further regulate the operation of motorcycles on highways.

As thus amended, was read a third time at length and passed.

Yeas 55; Nays 35.

Yeas:

Messrs.:	Carnes	Grainger	Mathews
Adams	Casey	Hale	Meeks
Agee	Cauthen	Hardin	Merrill
Bank	Connell	Harris	Nettles
Barkett	Coshatt	Headley	O'Daniel
Barron	Cottingham	Hearn	Owens
Bassett	Culver	Hill	Parker
Boles	Dill	King	Perloff
Boutwell	Doss	Lutz	Reed (T)
Bowers	Easters	McBride	Roberts
Brassell	Flippo	McCorquodale	Slate

REGULAR SESSION
16th Day

1305

Smith (P)	Stubbs	Waggoner	Weeks
Stewart	Therrell	Waldrop	Wood
Stokes	Turnham	Wallace	Wynot

—55

Nays:

Mr. Speaker	Downing	Lang	Reynolds
Adwell	Drake	McCluskey	Robertson
Benton	Edwards	McMillan	Smith (K)
Burgess	Falkenburg	Manley	Timmons
Callahan	Fite	Mims	Turner
Carter	Goodwin	Naramore	Warren
Chesnut	Grey (D)	Porter	Williams
Crawford	Hobbie	Pruitt	Wise
Cross	Hughes	Reid (R)	

—35

RESOLUTION

The following resolution was introduced:

By Messrs. Flippo and Hill:

H. J. R. 126. COMMENDING CHESTER MILTON AREHART UPON HIS RETIREMENT AS REGISTRAR FOR FLORENCE STATE UNIVERSITY.

WHEREAS, Chester Milton Arehart was born on May 31, 1910, the son of Clefton Lafayette and Minerva Belle Arehart. He received his A. B. Degree from Lynchburg College in 1932 and his M. A. Degree from the University of Chicago in 1946; and

WHEREAS, Chester Milton Arehart was a Virginia public school teacher and administrator during the periods of 1932-1942 and 1945-1948. He served in the United States Army Air Force in World War II during the period of 1942-1945; and

WHEREAS, Chester Milton Arehart served as Registrar for Florence State University from 1948-1973. During this time he admitted more than 28,000 students, maintained their records, and assisted in their academic advisement and counseling; and

WHEREAS, Chester Milton Arehart, as Registrar, assisted 8,500 graduates in their path toward graduation. He further certified and counseled veterans and advised and certified graduates in teacher education to the State Department of Education in Alabama; and

WHEREAS, Chester Milton Arehart is a member of the Alabama, the Southern, and the American Association of Collegiate Registrars and Admission Officers and a member of the Alabama College Administrators Association; and

WHEREAS, Chester Milton Arehart is married to the former Joyce An-nabel Rieley, and they have two children, Sharon Arehart Burlingame and Joseph Chester Arehart; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA; BOTH HOUSES THEREOF CONCURRING, That this body does wish to commend Chester Milton Arehart for his devoted service as Registrar of Florence State University, and does wish him a happy and successful retirement.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Chester Milton Arehart and to his family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 126, on the Clerk's desk for one legislative day.

MOTION TO ADJOURN LOST

The motion of Mr. Downing that the House adjourn until 2:00 o'clock p.m., Tuesday, July 10, 1973, was lost.

Yeas 44; Nays 47.

Yeas:

Mr. Speaker	Cottingham	Harris	Porter
Adams	Crawford	Hearn	Pruitt
Bank	Crowe	Hughes	Reid (R)
Barkett	Culver	Lang	Reynolds
Bassett	Downing	McCorquodale	St. John
Benton	Drake	Manley	Smith (K)
Boles	Easters	Mathews	Stokes
Brassell	Edwards	May	Therrell
Casey	Fite	Naramore	Turner
Chesnut	Goodwin	O'Daniel	Williams
Connell	Grey (D)	Perloff	Wood

—44

Nays:

Messrs.:	Falkenburg	McCluskey	Slate
Adwell	Flippo	McMillan	Smith (P)
Agee	Gafford	McNair	Stewart
Barron	Grainger	Meeks	Stubbs
Bowers	Hale	Merrill	Timmons
Carnes	Headley	Mims	Turnham
Carter	Hill	Nettles	Waggoner
Cauthen	Hobbie	Owens	Waldrop
Coshatt	Jones (F)	Parker	Wallace
Cross	King	Reed (T)	Warren
Dill	Lutz	Roberts	Wise
Doss	McBride	Robertson	Wynot

—47

And the bill:

H. 645. (With Amendment): To provide for the issuance of restricted driver's licenses in certain cases.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend Section 4 by adding the following sentence, "Also at the discretion of the Trial Judge such person's restricted license may be revoked."

And the amendment was adopted.

REGULAR SESSION
16th Day

1307

Yeas 78; Nays 1.

Yeas:

Mr. Speaker	Culver	Lang	Reynolds
Adams	Dill	Lutz	Roberts
Adwell	Doss	McCorquodale	Robertson
Agee	Downing	McNair	Slate
Barkett	Easters	Manley	Smith (K)
Barron	Falkenburg	Mathews	Smith (P)
Bassett	Fite	May	Stewart
Benton	Flippo	Meeks	Stokes
Boutwell	Gafford	Merrill	Taylor
Brassell	Goodwin	Mims	Therrell
Carnes	Grainger	Naramore	Timmons
Carter	Grey (D)	Nettles	Turner
Casey	Hale	O'Daniel	Turnham
Chesnut	Hardin	Parker	Waldrop
Connell	Harris	Perloff	Wallace
Coshatt	Hearn	Porter	Warren
Cottingham	Hill	Pruitt	Williams
Crawford	Hughes	Reed (T)	Wise
Cross	Jones (F)	Reid (R)	Wood
Crowe	King		

—78

Nay: Mr. Cauthen.

—1

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted Mr. Drake for his name to be added to the bill, H. 645 as amended, as a co-sponsor.

MOTION TO POSTPONE TABLED

On motion of Mr. King, the motion of Mr. Hobbie to postpone the bill, H. 645 as amended, to the seventeenth legislative day, was tabled.

Yeas 59; Nays 21.

Yeas:

Messrs.:	Coshatt	Hill	Reid (R)
Adams	Crawford	Hughes	Reynolds
Agee	Cross	King	Roberts
Barkett	Dill	Lang	Slate
Barron	Doss	Lutz	Smith (K)
Benton	Downing	McCluskey	Smith (P)
Boutwell	Drake	McCorquodale	Stewart
Brassell	Falkenburg	McMillan	Stokes
Burgess	Fite	McNair	Taylor
Callahan	Flippo	Meeks	Therrell
Carter	Goodwin	Naramore	Waldrop
Casey	Grainger	Parker	Wallace
Cauthen	Hale	Perloff	Williams
Chesnut	Hardin	Porter	Wise
Connell	Hearn	Reed (T)	Wood

—59

Nays:

Mr. Speaker	Grey (D)	May	Robertson
Bank	Harris	Nettles	Stubbs
Carnes	Headley	O'Daniel	Turner
Cottingham	Hobbie	Owens	Turnham
Culver	Mathews	Pruitt	Warren
Edwards			

—21

And the bill, H. 645 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 26.

Yeas:

Messrs.:	Crowe	Hughes	Reed (T)
Adams	Culver	King	Reid (R)
Agee	Dill	Lang	Reynolds
Bank	Doss	Lutz	Roberts
Barkett	Downing	McCluskey	Smith (K)
Barron	Drake	McCorquodale	Stokes
Benton	Falkenburg	McMillan	Taylor
Boutwell	Fite	Manley	Therrell
Brassell	Flippo	Mathews	Timmons
Carter	Gafford	Meeks	Turner
Casey	Goodwin	Naramore	Waldrop
Chesnut	Grainger	Parker	Wallace
Connell	Grey (D)	Perloff	Williams
Coshatt	Hale	Porter	Wise
Crawford	Hearn	Pruitt	Wood
Cross	Hill		

—61

Nays:

Mr. Speaker	Hardin	Nettles	Stewart
Burgess	Harris	O'Daniel	Stubbs
Callahan	Headley	Owens	Turnham
Carnes	Hobbie	Robertson	Waggoner
Cauthen	McNair	Slate	Warren
Cottingham	May	Smith (P)	Wynot
Edwards	Merrill		

—26

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 160. To amend Title 36, Chapter 9 and Sections 131, 132, and 134 of the Code of Alabama, 1958, to further regulate the operation of motorcycles on highways.

TOM DRAKE,
Chairman.

REGULAR SESSION
16th Day

1309

ADJOURNMENT

On motion of Mr. Wood, the House adjourned until 2:00 o'clock p.m.,
Tuesday, July 10, 1973.

Yeas 46; Nays 41.

Yeas:

Mr. Speaker	Cottingham	Hearn	Perloff
Adams	Crawford	Hughes	Porter
Agee	Crowe	Lang	Pruitt
Bank	Culver	McCorquodale	Reid (R)
Barkett	Downing	Manley	Reynolds
Benton	Drake	Mathews	St. John
Boles	Easters	May	Smith (K)
Brassell	Edwards	Meeks	Stokes
Burgess	Fite	Naramore	Therrell
Callahan	Goodwin	O'Daniel	Williams
Casey	Grey (D)	Parker	Wood
Connell	Harris		

—46

Nays:

Messrs.:	Flippo	McNair	Stewart
Barron	Grainger	Merrill	Stubbs
Boutwell	Hale	Mims	Taylor
Carnes	Hardin	Nettles	Timmons
Carter	Headley	Owens	Turner
Cauthen	Hill	Reed (T)	Turnham
Coshatt	Hobbie	Roberts	Waggoner
Cross	Jones (F)	Robertson	Waldrop
Dill	King	Slate	Wallace
Doss	Lutz	Smith (P)	Warren
Falkenburg	McMillan		

—41

